

98 00165

v. 2

■■■■■■■ FIRST AMENDMENT TO
THE COLISEUM AREA
REDEVELOPMENT PLAN
REPORT TO COUNCIL

VOLUME II

- . Neighborhood Impact Report
- . Relocation Rules
- . Report of the Planning
Commission
- . Analysis of Preliminary Plan
- . Report of County Fiscal Officer
- . Community Participation
- . Mitigated Negative Declaration

July 22, 1997

Prepared for:

Oakland City Council
Oakland Redevelopment Agency

By:

Community and Economic
Development Agency
1333 Broadway, Suite 900
Oakland, California 94612

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

DEC - 9 1997

UNIVERSITY OF CALIFORNIA

■■■■■■■■ ■ FIRST AMENDMENT TO
THE COLISEUM AREA
REDEVELOPMENT PLAN
REPORT TO COUNCIL

VOLUME II

- . Neighborhood Impact Report
- . Relocation Rules
- . Report of the Planning
Commission
- . Analysis of Preliminary Plan
- . Report of County Fiscal Officer
- . Community Participation
- . Mitigated Negative Declaration


July 22, 1997

Prepared for:

Oakland City Council
Oakland Redevelopment Agency

By:

Community and Economic
Development Agency
1333 Broadway, Suite 900
Oakland, California 94612



Digitized by the Internet Archive
in 2025 with funding from
State of California and California State Library

<https://archive.org/details/C101693472>

NEIGHBORHOOD IMPACT REPORT

**FIRST AMENDMENT TO THE
COLISEUM AREA REDEVELOPMENT PLAN**

**Prepared by the
City of Oakland
Community and Economic Development Agency
June, 1997**

TABLE OF CONTENTS

Introduction	1
Housing	4
Traffic Circulation	7
Environmental Quality	8
Community Facilities and Services	12
School Facilities and Quality of Education	14
Property Assessments and Taxes	15
Other Physical and Social Impacts	16
Summary of Neighborhood Impacts	17

INTRODUCTION

Purpose

This document serves as a Neighborhood Impact Report for the Redevelopment Agency (Agency) of the City of Oakland's First Amendment (the "Amendment") to the Coliseum Area Redevelopment Plan, in accordance with Section 33352 (m) of the California Health and Safety Code. The Agency prepared the Amendment pursuant to the Community Redevelopment Law of the State of California. The purpose of this document is to describe the impact of the project upon the residents of the Project Area, which is the territory to be added to the original Coliseum Redevelopment Project Area as a result of this amendment, and the surrounding areas. The report discusses project impacts including relocation of residents, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other issues relating to the physical and social quality of the neighborhoods within and surrounding the Project Area.

Project Area

The Coliseum Area Redevelopment Plan Amendment will add approximately 264 acres to the existing Coliseum Area Redevelopment Project Area, adjacent to the Fruitvale Avenue boundary. The Plan Amendment will extend the boundaries of the Project Area from Fruitvale Avenue northward to 22nd Avenue, and from International Boulevard westward to Livingston Street and the Oakland/Alameda city border.

Coliseum Area Redevelopment Plan Goals

The Plan Amendment will extend the goals and strategies for eliminating blight that were adopted in Coliseum Area Redevelopment Plan to the amended territory. The goals of the Coliseum Area Redevelopment Plan are as follows:

1. To provide for long-term job training and employment opportunities for Coliseum Redevelopment Area residents.
2. To stimulate home ownership in the Coliseum Redevelopment Area.

3. To improve public safety for people living and working in the Coliseum Redevelopment Area.
4. To improve the quality of the residential environment by assisting new construction, rehabilitation and conservation of living units in the Coliseum Redevelopment Area.
5. To eliminate the land-use conflicts between the residential and industrial edge in the Coliseum Redevelopment Area.
6. To improve transportation, public facilities and infrastructure in residential, commercial and industrial opportunity areas.
7. To abate the most visible deteriorated conditions which effect the commercial and industrial sections of the Coliseum Redevelopment Area.
8. To stimulate industrial, research and development, and commercial development by improving obsolete, underutilized and vacant properties in the Coliseum Redevelopment Area.
9. To assist neighborhood commercial revitalization.

To achieve these goals, the Coliseum Area Redevelopment Plan calls for implementing a series of strategies, that would include the following: 1) studying and, as appropriate, implementing transitional zoning and buffers; 2) assisting property owners, through grants or loans, in rehabilitating housing units that are in relatively poor condition; 3) assisting in the development of an employment training and placement facility; and 4) establishing an organization to market the Coliseum Redevelopment Area to new retailers, manufacturers, developers, and other businesses. These strategies will be applied to the amended territory as appropriate.

Project-Related Development

The Plan Amendment will not cause any additional large-scale development, but will allow the Redevelopment Agency to begin to address some of the blighting influences that exist in the amended project area by such means as improving landscaping and lighting, improving existing industrial, commercial and residential development, rehabilitating parks and open spaces and assisting in neighborhood commercial revitalization efforts. For planning purposes, the Implementation Strategy for the original Coliseum Area Redevelopment Plan divided the Project Area into 10 planning districts. The territory that

will be added to the Project Area as a result of the Plan Amendment will be considered an additional planning district, called the San Antonio Planning District.

Time Frame Analyzed

The time frame considered in this Neighborhood Impact Report coincides with the development from the thirteen years between 1997 and 2010 analyzed in the Draft Initial Study for the First Amendment to the Coliseum Area Redevelopment Plan. Beyond this time frame, the impacts of Project-related development cannot be identified without an undue level of uncertainty or speculation.

Data Sources for the Neighborhood Impact Report

This report primarily summarizes and excerpts data contained in the *Draft Initial Study and Mitigated Negative Declaration* (Maxwell & Associates, May, 1977). In addition, it includes information provided directly by staff of the Oakland Community and Economic Development Agency, as well as information from the *Preliminary Report of the First Amendment to the Coliseum Area Redevelopment Project* (Community and Economic Development Agency, June, 1997).

HOUSING

This section of the Neighborhood Impact Report deals with the impacts of the proposed project on the housing stock within the Project Area and the resulting impacts on Project Area residents. A major emphasis of the Coliseum Area Redevelopment Project Plan is to resolve land use conflicts between existing residential land uses and other types of land uses. Toward this end, the Area Wide Actions involve measures that are intended to reduce the negative impacts of commercial and industrial uses on nearby residential uses, such as prohibiting truck traffic through residential neighborhoods, eliminating non-conforming industrial uses in residential areas, making physical improvements to buffer residential land uses from conflicting uses, and using zoning controls to manage the interface between residential and industrial uses. In addition to eliminating or mitigating land use conflicts, the Project Plan calls for a number of actions to improve the existing housing stock and to assist households in purchasing housing in the area. These actions include providing capital to support the existing Home Maintenance and Improvement Program, supporting the existing First Time Homebuyer's Mortgage Assistance Program and Downpayment Assistance Program, and providing capital assistance for new housing development and mixed-use developments on infill sites. Based on these actions and strategies, the Project should have positive impacts on the Coliseum Area neighborhood housing stock, including the amended area, by improving the housing stock itself, as well as improving the environment for residential land uses within the Project Area. The following paragraphs address specific housing issues, as required by Section 33352 (m) of the Health and Safety Code.

Low- and Moderate-Income Housing Units Expected to Be Destroyed or Removed From the Low- and Moderate-Income Housing Market

The Project Plan does not call for removing any housing units from the Coliseum Area housing stock, including housing units for low- and moderate-income households. As described above, the Project Plan's actions with respect to housing involve neighborhood improvement, housing unit rehabilitation, development of new housing on an infill basis, and providing homebuyer's assistance. These actions will help to conserve the existing housing stock, improve the residential environment, and create new housing opportunities for people not already living in the area.

Low- and Moderate Income Households Expected to Be Displaced by the Project

Because the Project Plan does not include actions to demolish or remove existing housing units, it is not expected that the Project Plan will cause the displacement of any households from the Project Area, including low- and moderate-income households.

Location of Housing to Be Rehabilitated, Developed, or Constructed pursuant to section 33413 of the Health and Safety Code

The residential rehabilitation, development, and construction activities could occur throughout the existing residential districts within the Amended Project Area.

Number of Dwelling Units Housing Persons and Families of Low or Moderate Income Planned for Construction or Rehabilitation, Other Than Replacement Housing

The Jingtowntown housing development project was recently constructed within the added project territory, now referred to as the San Antonio Planning District. This project consists of 53 units of low-income ownership housing. The Jingtowntown project was not constructed in association with, or caused by this Plan Amendment, and it is not likely that additional low- to moderate-income housing, other than replacement housing, will be constructed in association with this Plan Amendment within the next 15 years.

Projected Means of Financing the Proposed Dwelling Units for Housing Persons of Low and Moderate Income Planned for Construction or Rehabilitation

Tax increment financing, primarily those funds allocated to the Agency's Low and Moderate Income Housing Fund pursuant to the low and moderate income housing 20 percent set-aside requirement (Health and Safety Code section 33334.2), is the proposed method of financing the construction and rehabilitation of housing for low and moderate income households throughout the entire Amended Coliseum Redevelopment Project Area. In total, the Redevelopment Agency anticipates that approximately \$9,987,000 in tax increment revenues will be available for these purposes through the year 2010. These funds would represent the Redevelopment Agency's contribution for the development of new housing and the rehabilitation of existing housing. The remainder of costs for housing development and rehabilitation would come from other public and private sources.

Timetable for Meeting the Plan's Relocation, Rehabilitation and Replacement Housing Objectives

As discussed above, the Project Plan does not propose to demolish or remove existing housing within the Project Area; therefore, there are no plans for any substantial permanent relocation of residential households. Nevertheless, in accordance with State law, the Project Plan contains a provision that "whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the Project Area or within the territorial jurisdiction of the Agency." Along with the Project Plan, the City of Oakland will adopt relocation policies specifying the steps that will be taken to relocate affected households, which would include (1) providing any displaced persons or families with assistance in finding new quarters suitable to and compatible with their needs and financial posture; (2) making relocation payments to displacees as required by applicable regulations; (3) being empowered to make additional discretionary relocation payments which the Redevelopment Agency may deem reasonable and necessary to achieve the Project's long term goals; and (4) providing either directly or indirectly, for the replacement of any low or moderate income dwelling units destroyed or removed by Project activities on a minimum one to one basis.

An important goal of the Project Plan is to promote housing rehabilitation and conservation. These activities would occur over the life of the project, using Redevelopment funds earmarked for these purposes.

TRAFFIC CIRCULATION

This section of the Neighborhood Impact Report summarizes the findings of the traffic analysis contained in the Plan Amendment's Draft Mitigated Negative Declaration with respect to impacts on neighborhoods. According to the Mitigated Negative Declaration, amending the Coliseum Area Redevelopment Plan to include the San Antonio Planning District would not cause any additional increase in vehicular trips due to the limited scale of development anticipated within the amended area within the next 13 years.

ENVIRONMENTAL QUALITY

Air Quality

According to the Mitigated Negative Declaration, the proposed Plan Amendment will not cause any noticeable additional increase in regional vehicular emissions due to the limited scale of projects anticipated in the amended area within the next 13 years. Similarly, the scale of individual projects within the proposed amended area would not result in any significant alteration in air movement or changes in climate.

Noise

According to the Draft Mitigated Negative Declaration, noise levels in the proposed amended area are generally high, with the highest noise levels occurring in areas adjacent to Interstate 880 (I-880).

There are several sensitive receptors within the proposed amended area including child-care centers, Lazear Elementary School on 29th Avenue and Beacon School on Livingston Street. Adding the proposed amended area to the larger Coliseum Area Redevelopment project area, however, is not likely to have significant effects on these sensitive receptors.

Hazardous Materials

Hazardous materials can pose a threat to human health when they are used, stored, or disposed of improperly. Accidents are also a potential source of health threats due to hazardous materials. The potential for harm from hazardous materials increases when hazardous materials are in close proximity to residential uses. The Draft Mitigated Negative Declaration identified thirty sites within the proposed additional territory that are either suspected or known to contain hazardous wastes. Due to the history of urbanization and use of hazardous substances in the survey area, it is possible that hazardous substances are present at sites that have not yet been identified. Any development or other site disturbances could unearth additional contamination, the impacts of which will need to be assessed on the basis of individual environmental assessments completed for each project.

Geology and Seismicity

The amended territory is on relatively flat land, and major changes in topography or ground surface relief features are not anticipated. The area is not subject to mudslides or landslides. This area is more than one-quarter mile from a major fault, however a large earthquake could cause damage and injuries from falling objects, collapsed structures, fire, and miscellaneous injuries such as heart attacks. The area does have a large number of obsolete buildings, and many built of unreinforced masonry that pose a particular danger of collapse during earthquakes. One of the strategies of the Redevelopment Plan, however, is to provide capital to rehabilitate or demolish obsolete or under-utilized buildings.

Surface Water Hydrology, Storm Drainage and Water Quality

According to the Draft Mitigated Negative Declaration, any construction-related activities within the Project Area would potentially contribute additional pollutants to surface flow. The report also points out, however, that any construction in the area is subject to the Oakland Storm Water Management Controls which would help to avoid otherwise potentially significant water quality degradation.

Portions of the additional territory near San Leandro Bay and Sausal Creek are within the mapped boundaries of the 500-year flood event. This area is largely developed land and is almost entirely impervious. Thus, if any development occurs in the Project Area, it would not be expected to increase the volume of storm water runoff.

Biotic Resources

As with the original Coliseum Redevelopment Project Area, most of the added territory is urbanized, with most of the vacant land previously disturbed by development. According to the Draft Mitigated Negative Declaration, urbanized environments have little wildlife habitat value. Potential impacts to biological resources would be primarily due to loss of existing habitat if construction were to occur on previously undisturbed land near San Leandro Bay. The Draft Mitigated Negative Declaration lays out seven mitigation measures to reduce the potential environmental risks to biotic resources to a less than significant level, should construction occur near these sensitive areas.

Cultural Resources

One prehistoric site within the additional project area was identified in the Draft Mitigated Negative Declaration, and subsurface construction within archaeologically sensitive portions of this area could lead to discovery of previously unknown prehistoric cultural deposits.

Large-scale development is not anticipated within this additional territory in the next 13 years, so the risk of unearthing a prehistoric resources is low, and the Draft Mitigated Negative Declaration lays out several measures to mitigate the potential for damaging such resources, should development occur that would threaten them.

According to the Draft Mitigated Negative Declaration, one "A", two "B" and some 38 "C" rated buildings are located within the proposed additional project area. Four Areas of Secondary Importance are also located within this area: 1) Fruitvale Neighborhood Commercial District, 2) 23rd Avenue Commercial District, 3) the vicinity of 26th Avenue and International Boulevard and 4) the complex of Cotton Mills buildings.

Any new development within the project area could threaten historic structures; however neither the Redevelopment Plan itself, nor its amendment authorizes the destruction of historic buildings and districts, nor do they necessarily lead to negative impacts on these resources. In fact, by amending the Redevelopment Plan to include the San Antonio Planning District within the Project Area, money could be available for neighborhood commercial revitalization activities, including facade improvements and rehabilitation in the 23rd Avenue Commercial District. The Draft Mitigated Negative Declaration lists a variety of mitigating measures that should be taken if development is to occur in a way that may impact historically significant structures or districts.

The historically significant Montgomery Wards building is located within the amended project area. This building has been vacant for more than a decade, and development at this site is expected to occur with or without the Plan Amendment going through. An environmental impact will be prepared if the project's development includes the demolition or substantial alteration of the structure.

Energy

The Draft Mitigated Negative Declaration reports that all new buildings are required to meet the standards for energy efficiency set forth in Title 24 of the *California Code of Regulations*. Title 24 helps to conserve energy with respect to building heating, cooling and lighting.

The Coliseum Area Redevelopment Plan encourages in-fill development , which results in greater utilization of existing infrastructure, rather than extending infrastructure into previously undeveloped areas. This tends to reduce the number of miles traveled for shopping and employment, and increases the feasibility of public transportation opportunities. Amending the Redevelopment Plan to extend the Project Area boundaries will also extend these benefits.

COMMUNITY FACILITIES AND SERVICES

Water Supply

No large development projects are expected to occur as a result of the proposed Plan Amendment, thus no significant additional demands are expected to be placed on the water supply.

Wastewater/Sanitary Sewer

As stated above, no large development projects are expected to occur as a result of the proposed Plan Amendment, thus no significant additional demands are expected to be placed on the sanitary sewer system.

Solid Waste

No large development projects are expected to occur as a result of the proposed Plan Amendment, thus no significant additional demands are expected to be placed on the solid system.

Police Protection

The limited amount of development expected to occur as a result of the proposed Plan Amendment will not place significant new demands on the City's police protection services. Funds may be spent on improved lighting for the area, which may help to deter crime. Expenditures are being considered in the Redevelopment Agency's 1997-98 and 1998-99 budget to provide funds to place off-duty police officers on patrol in the business and industrial districts of the existing Project Area.

Fire Protection

The limited amount of new development expected to occur as a result of the proposed Plan Amendment will not place significant new demands on the City and County's fire protection services.

Emergency Medical Services

The limited amount of new development expected to occur as a result of the proposed Plan Amendment will not place significant new demands on the City and County's emergency medical services.

SCHOOL FACILITIES AND QUALITY OF EDUCATION

The Oakland Unified School District reports that schools in the San Antonio and Fruitvale neighborhood schools are overcrowded, and that efforts to reduce class size in the elementary schools has put additional demand on already scarce space. While any increase in student population will have a negative impact on the schools, the proposed Plan Amendment is not likely to cause significant increase in households. What's more, the Redevelopment Plan allows for the use of redevelopment dollars to improve or construct school facilities, offering a means to relieve some of the strain already occurring within the school system.

PROPERTY ASSESSMENTS AND TAXES

The Plan Amendment will not cause any change in the basic property tax rate within the Project Area nor will it cause any increase in special taxes or assessments levied on Project Area properties. The "property tax increment" that is projected to be generated within the Project Area will be due to increased property tax collections resulting from increasing property values within the Project Area. The growth of this increment will be subject to the limitations of Proposition 13, which allow property tax assessments to increase no more than two percent per year unless a property is improved or sold.

OTHER PHYSICAL AND SOCIAL IMPACTS

Parks and Recreation

The limited amount of new development expected to occur as a result of the proposed Plan Amendment will not place significant new demands on this area's parks and recreation facilities. There is a lack of parks and open space in this amended area, but including it within the boundaries of the Redevelopment Area offers a possible source of funds to acquire new park land or improve those that already exist.

SUMMARY OF NEIGHBORHOOD IMPACTS

According to the Draft Mitigated Negative Declaration, amending the Coliseum Area Redevelopment Plan to include an additional 264 acres in the San Antonio neighborhood will not cause enough development to have significant impacts on the new project area. Where the potential exists for negative impacts, such as new development's possibility of impacting historic structures, mitigation measures are set forth to avoid harm.

Amending the Coliseum Area Redevelopment Plan to extend the Project boundaries will offer the new area additional resources to correct some of the blighting influences that currently exist in the area, and to make capital investments to improve such things as lighting, landscaping, commercial facades, housing opportunities and schools.

RELOCATION RULES

The First Amendment to the Coliseum Area Redevelopment Plan will cause the displacement of few, if any, households or businesses. Nonetheless, California state law requires the preparation of a method for relocation in the event that displacement does occur.

All the terms and conditions of the Relocation Rules that were adopted in July, 1995 as a part of the Coliseum Area Redevelopment Plan will be extended to the entire amended Project Area. As a matter of reference, those Relocation Rules are included in this report.

RELOCATION RULES

Section 33411 of the California Health and Safety Code requires the preparation of a feasible method or plan for relocation of all families, persons and nonprofit organizations to be temporarily or permanently displaced from facilities in the Project Area. Section 33411.1 stipulates that said method or plan for relocation shall include the provision that no persons or families of low or moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by the displaced person or family at rents comparable to those at the time of their displacement.

It is anticipated that very few, if any, households or businesses will be displaced as a result of the Project. The Agency will assume lead responsibility for implementation of any relocation activities resulting from the Project.

Potential for Displacement

The proposed Redevelopment Plan contains provisions for the acquisition of property (reference Section 309, Acquisition of Real Property). Pursuant to this section, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law, including eminent domain. The Agency does not, however, have the authority to acquire property on which any persons reside by eminent domain. The exercise of right of eminent domain, if necessary, to acquire property within the Project Area shall be commenced by the Agency within twelve (12) years from the date the ordinance adopting the Plan becomes effective. The Agency is authorized to acquire structures without acquiring land and is also authorized to acquire any other interest in real property less than fee title.

The removal of a substantial number of existing housing units is not anticipated by the Redevelopment Plan. Rather, rehabilitation of the area's housing stock, and in-fill development in residential areas are goals of the Plan.

Section 303 (Participation Opportunities for Owners) of the Plan specifies that the Agency intends to limit its acquisition of real property to those properties which are essential to accomplishing the objectives of the Plan. Persons who own property within the Project Area will be afforded ample opportunities to retain and develop or rehabilitate their properties consistent with the objectives of the Plan. Section 304 (Rules for Participation Opportunities) stipulates that in the event a participant fails or refuses to rehabilitate, develop, use and maintain his real property pursuant to this Plan and/or a participation agreement entered pursuant to the Plan, the Agency may acquire said real property or any interest therein.

Implementation

The proposed Redevelopment Plan outlines the broad policies that would be implemented by the Agency should the Project result in the displacement of existing Project Area occupants (reference Section 312 - Relocation of Persons, Families and Businesses). Prior to displacement of any families or persons, the Agency will prepare and adopt a plan for the relocation of such families or persons which contains all the elements required by Law.

Section 313 (Relocation Assistance) specifies that relocation assistance will be furnished by the Agency to any person (owners and renters) or business concern who is displaced by the Project and that no person shall be displaced unless replacement housing is available which is in an area which is equally desirable, reasonably accessible to the displacee's employment, and within the financial means of said displacee.

Section 314 (Relocation Payments) specifies that the Agency shall make relocation payments to qualified persons (including individuals and families), businesses and others displaced by the Project. Any such payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.), Agency rules and regulations adopted pursuant thereto, and guidelines promulgated by the State Department of Housing and Community Development.

Section 329 (Low and Moderate Income Housing and Replacement Housing) indicates that should the Agency enter into an agreement (i.e., agreement for acquisition of real property, agreement for the disposition and development of property, participation agreement) which would lead to the destruction or removal of dwelling units from the low and moderate income housing market, a Replacement Housing Plan shall be adopted by the Agency pursuant to Section 33413.5 of the Health and Safety Code. Said Replacement Housing Plan shall be adopted by resolution, not less than thirty (30) days prior to the execution of such agreement. In accordance with Section 33334.5 of the Health and Safety Code, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four (4) years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the Project Area or within the territorial jurisdiction of the Agency in accordance with all of the provisions of Sections 33413 and 33413.5 of the Health and Safety Code.

As outlined above, the proposed Redevelopment Plan provides that the Agency would: (1) provide any displaced persons or families with assistance in finding new quarters suitable to and compatible with their needs and financial posture; (2) make relocation payments to displacees as required by applicable regulations and Agency rules and

regulations adopted pursuant thereto; (3) be empowered to make additional discretionary relocation payments which it may deem reasonable and necessary to achieve the Project's long term goals; and (4) provide either directly or indirectly, for the replacement of any low or moderate income dwelling units destroyed or removed by Project activities on a minimum one to one basis.

Administrative Organization

The Redevelopment Agency of the City of Oakland is the local public agency which is responsible for the relocation of individuals, families, businesses and institutions that are displaced as a result of redevelopment project activities. The Agency may meet its relocation responsibilities through qualified staff or consultants that will manage the complexities of providing relocation advisory assistance. Their services may be supplemented with assistance from local realtors, social agencies and civic organizations.

The Agency's staff and/or consultant(s) will perform the following functions:

- Interpret the Agency's program to all site occupants and the general public to enlist their understanding and support, and to answer questions about the Project and its effect upon Project site occupants.
- Determine the relocation needs and desires of all site occupants and to keep each informed of their rights and responsibilities under the redevelopment program, as well as to apprise them of the relocation resources, special services and aids to which they are entitled.
- Enlist the cooperation of real estate agents, home builders, property management firms, social service agencies, civic groups and others in locating suitable relocation accommodations for displacees, and to provide other services deemed essential for the successful relocation of site occupants.
- Locate, inspect and evaluate or stimulate the development of housing facilities to meet the needs of all site occupants and refer and otherwise assist site occupants to secure housing which they require.
- Secure priority consideration for persons eligible for and desiring public housing or any other housing to which displacees are entitled, and take other appropriate steps as necessary to expedite their placement into such housing.
- Advise and assist affected owners and site occupants in understanding and utilizing the "owner and tenant participation" opportunities provided for in the Redevelopment Plan and in the Rules Governing Participation and Preferences by Owners, Operators of Businesses and Tenants.

- Assist affected prospective home buyers in obtaining appropriate mortgage financing and advise them of special FHA, VA and other financial aids available.
- Make referrals to community, social, welfare and other similar agencies, when such referrals are deemed advisable and cooperate with these agencies on an individual basis to assist in the solution of specific problems affecting the relocation of individuals or groups of relocatees.
- Maintain liaison services between businesses, site occupants and commercial property brokers, realty boards, Chambers of Commerce, the Small Business Administration, lending institutions and other appropriate resources for advice and assistance in effecting the satisfactory relocation of site occupants.
- Assist affected site occupants in preparing all claims for relocation payments to which they are entitled.
- Establish records, maintain files and provide ongoing reports to the Executive Director on field relocation activities.
- Coordinate relocation activities with other Agency operations.

Relationship with Project Area Occupants

The Agency will provide advisory assistance to all persons displaced or to be displaced as a result of acquisition by the Agency of real property, to all persons displaced as a result of property rehabilitation or code enforcement activities carried out by private persons in conformance with the adopted Redevelopment Plan, and to all persons who, because of the acquisition of real property used for a business, are required to move their personal property from such other real property. The Agency will establish and maintain a relationship with Project Area occupants and as appropriate and needed, will apprise the occupants, property owners and general community of its plans and programs through the distribution of informational materials, public meetings, mailings and personal interviews.

Relocation Standards for Residents

It is the Agency's objective that all displaced residential site occupants be rehoused, with a minimum of hardship, into a comparable replacement dwelling. The Agency will ensure that housing for displaced residents is located in areas that are at least as desirable as their former home(s) with regard to public utilities and services and commercial facilities, and to the extent possible, be within a reasonable distance for daily commuting to the displacee's place of employment. Consideration shall be given to the particular financial situation of each family or individual and replacement housing will be made available at

rents or prices within the financial means of each family or individual. To ensure compliance with Section 33411.1 of the Health and Safety Code, the Agency does not propose to displace any low or moderate income person, family or household until there is a suitable housing unit available and ready for occupancy by such displaced individual(s) at rents/costs comparable to those at the time of their displacement.

Assistance to Business

Businesses and institutional site occupants who might be displaced will be: personally interviewed to determine their relocation needs and preferences; provided with general and special information material; assisted in preparing relocation claims; assisted in finding other suitable locations within or outside the Project Area; and referred to other groups or agencies for assistance in achieving a satisfactory relocation. As the situation requires, the relocation staff will refer these site occupants to, and maintain liaison between, the Small Business Administration, trade associations, chambers of commerce, lending institutions, real estate agencies, brokers and multiple listing realty boards in order that they may be assisted on a nondiscriminatory basis in obtaining suitable relocation premises, financial help and guidance in re-establishing their operations.

Temporary Moves

Temporary moves would be required/permitted only under circumstances allowed by the applicable State and federal relocation laws and regulations.

Grievance Procedures

Individuals, families or businesses that might be subject to displacement during the course of Project implementation would be informed by the Agency staff/consultant(s) of their right of appeal of relocation payment claims, or other decisions made affecting their relocation. Such appeals would be made and reviewed in accordance with the grievance procedures adopted by the Agency, pursuant to the applicable State and federal relocation laws and regulations.

Planning Commission Report and Recommendations Regarding the Redevelopment Plan Amendment and its Consistency with the General Plan

Section 33346 of the Health and Safety Code relating to Redevelopment Law requires that amendments to a redevelopment plan shall be submitted to the Planning Commission for its report and recommendation concerning the Redevelopment Plan and its conformity with the General Plan before it is submitted to the legislative body.

At its June 18, 1997 meeting, the Planning Commission considered the First Amendment to the Coliseum Area Redevelopment Plan, and opened a public hearing to receive comments from interested parties. No one from the public chose to speak on this matter, and the public hearing was closed.

The Planning Commission approved staff's finding that the Plan Amendment is in conformance with the General Plan, and adopted a motion to recommend the Amendment to the Council for approval. Copies of the Planning Commission's recommendation to the City Council, and minutes of the June 18 meeting follow.



CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

City Planning Commission

TDD 839-6451

June 24, 1997

OAKLAND REDEVELOPMENT AGENCY
Oakland, California

SUBJECT: Proposed First Amendment to Coliseum Area Redevelopment
Project

Chairperson Harris and Members of the Redevelopment Agency:

Section 33346 of the Health and Safety Code relating to
Community Redevelopment Law requires that

"Before the redevelopment plan of each project area is
submitted to the legislative body, it shall be submitted to
the planning commission for its report and recommendation
concerning the redevelopment plan and its conformity to the
general plan adopted by the planning commission or by the
legislative body. The planning commission may recommend for
or against the approval of the redevelopment plan."

At its June 18, 1997 meeting, the City Planning Commission
considered the proposed First Amendment to the Coliseum Area
Redevelopment Plan and the following staff recommendation:

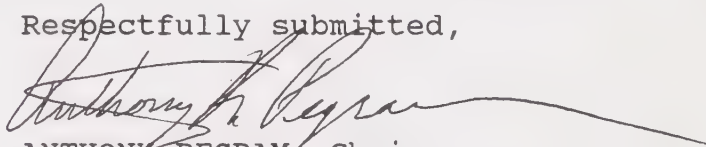
1. That the City Planning Commission find the First
Amendment to the Redevelopment Plan to be in conformance
with the General Plan.
2. That the City Planning Commission recommend approval of
the proposed First Amendment Coliseum Redevelopment Plan.

The Planning Commission voted to recommend approval of the
staff recommended actions by a vote of 6 ayes, 0 noes.

Oakland Redevelopment Agency
June 30, 1997
Page -2-

The City Planning Commission, pursuant to Redevelopment Law, hereby forwards its report and recommendation of approval of the First Amendment Coliseum Redevelopment Plan to the Redevelopment Agency. Enclosed as supporting documents are the June 18, 1997 staff report and minutes of the meeting.

Respectfully submitted,



ANTHONY PEGRAM, Chair
City Planning Commission

APPROVED AND FORWARDED TO THE
REDEVELOPMENT AGENCY



Office of the Administrator

Attachments: June 18, 1997 Planning Commission report
Minutes of the June 18, 1997 Commission meeting

TO: City Planning Commission

DATE: June 18, 1997

FROM: Staff

CASE FILE:SAP 10.04

APPLICANT: Community and Economic Development Agency

SUBJECT: Consideration of the First Amendment to the Coliseum Area Redevelopment Plan to add the area generally bounded by Fruitvale Avenue, East 14th Street (International Boulevard), 22nd Avenue, Livingston Street, Kennedy Street, and Oakland/Alameda city limit line to the Coliseum Area Redevelopment Plan Project Area.

BACKGROUND

On November 11, 1995, the City Council passed Resolution No. 72296, which expanded the Coliseum Redevelopment Plan "survey area" to include approximately 264 additional acres to the north of the Fruitvale Avenue boundary of the existing Project Area. This new area, referred to as the "Kennedy-Fruitvale Planning District", is generally bounded by Fruitvale Avenue, East 14th Street (International Boulevard), 22nd Avenue, Livingston Street, Kennedy Street, and the Oakland/Alameda city line. On August 7, 1996, the City Planning Commission reviewed and recommended approval of an amendment to the Preliminary Plan for the Coliseum Area to include the additional 264 acres. On October 15, 1996, the Redevelopment Agency accepted the Amended Preliminary Plan.

The proposed First Amendment to the Coliseum Area Redevelopment Plan would add the 264 acre "Fruitvale-Kennedy Planning District" to the Coliseum Area Redevelopment Plan. The Planning District includes a mix of industrial and manufacturing uses between E. 14th Street and I-80, a mix of retail, commercial, and public uses along E.14th between Fruitvale and 22nd Avenue, and a mix of residential, manufacturing and commercial uses between I-80 and the Estuary.

Per Section 33346 of the Health and Safety Code (Community Redevelopment Law), the City Planning Commission must consider whether the proposed Amendment to the Coliseum Redevelopment Plan is in conformance with the General Plan. This report includes an analysis of the conformance of the proposed Amendment with the Oakland General Plan. The report concludes that the finding can be made that the Amendment is in conformance with the Oakland General Plan.

A map of the Fruitvale-Kennedy Planning District and a copy of the First Amendment to the Coliseum Area Redevelopment Plan are attached to this report.

DISCUSSION

Objective of the Amendment to the Coliseum Area Redevelopment Plan.

The objective of the Amendment is to provide the Redevelopment Agency the opportunity to implement the goals and objectives of the Coliseum Area Redevelopment Plan within the Kennedy-Fruitvale Planning District, which are to eliminate and prevent the spread of blight in the project area. As described in the Redevelopment Plan Implementation Strategy, expansion of the Redevelopment Project Area to include the Kennedy-Fruitvale Planning District would result in the following benefits for area residents, property owners, and business owners in the area:

- * long term job training and employment opportunities for project area residents;
- * increased home ownership opportunities in the area;
- * improved public safety in the area;
- * new housing construction and rehabilitation of housing units¹;
- * mitigation of land use conflicts at the industrial/residential edge;
- * improved transportation and public facilities;
- * increased industrial, R&D and commercial development in the area;
- * neighborhood commercial revitalization; and
- * attraction of new businesses and retention of existing businesses in the area.

Conformance with Oakland General Plan

The Amendment to the Coliseum Area Redevelopment Plan is in conformance with the Oakland General Plan and the draft Goals, Objectives, and Policies (GOP) developed by the General Plan Congress for the Land Use and Transportation Element Update. The General Plan and GOP recommend more intensive development of vacant, underutilized and derelict lands within the older industrial areas and commercial corridors such as those in the Fruitvale-Kennedy Planning District. The General Plan and GOP recommend the maintenance, enhancement and improvement of the residential neighborhoods and housing opportunities and mitigation of land use conflicts caused by the interface of residential and industrial uses, such as those found in the

¹ The Coliseum Area Redevelopment Plan limits the power of the Agency to "take" property for the purpose of redevelopment in residential areas. The Agencies' power of eminent domain is limited to commercial and industrial areas.

Fruitvale-Kennedy Planning District. A major goal of the General Plan and GOP is to increase job opportunities for Oakland's unemployed, underemployed, and otherwise economically disadvantaged residents. Furthermore the proposed Amendment would facilitate access and circulation improvements in the area that are consistent with the General Plan's policies regarding the importance of safe and convenient circulation of people and goods throughout Oakland.

Environmental Review

An environmental document has been prepared and circulated for public review evaluating the potential environmental impacts of the proposed amendment. The environmental document will be considered by the Redevelopment Agency and City Council at the time the proposed amendment is considered for adoption by the Agency and City Council at a joint hearing in July. A copy of the Mitigated Negative Declaration has been attached to this report for the Commission's information.

Conclusion

In conclusion, staff believes that the proposed First Amendment to the Coliseum Area Redevelopment Plan is in conformance with the General Plan, will facilitate the elimination of blight in the area, and will improve residential, commercial, and manufacturing/industrial conditions in the area.

RECOMMENDATIONS

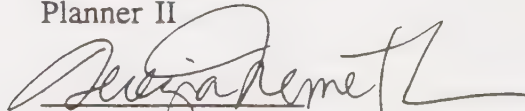
That the City Planning Commission:

- 1) Recommend to the City Council and Redevelopment Agency that the proposed First Amendment to the Coliseum Area Redevelopment Plan is in conformance with the Oakland General Plan.
- 2) Recommend that the City Council and Redevelopment Agency approve the proposed First Amendment to the Coliseum Area Redevelopment Plan.

Prepared by:

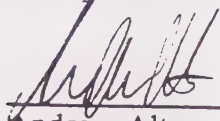


Andrew Thomas
Planner II



Terezia Nemeth
Manager of Strategic and Economic
Planning

Approved for forwarding to the
City Planning Commission:



Andrew Altman
Chief of Planning

attachment: 1) Map of Area
 2) First Amendment to the Coliseum Area Redevelopment Plan
 3) Mitigated Negative Declaration

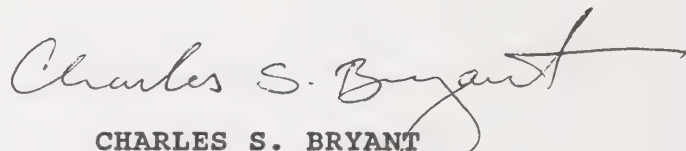
City Planning Commission
Draft Minutes of June 18, 1997

4. COMMUNITY AND ECONOMIC DEVELOPMENT AGENCY
SAP 10.04
ER97-19
- Consideration of an amendment to the Final Redevelopment Plan for the Coliseum Area to add the area generally bounded by Fruitvale Avenue, East 14th Street (International Boulevard), 22nd Avenue, Livingston Street, Kennedy Street, and the Oakland-Alameda city limit line. (Environmental Determination: Mitigated Negative Declaration prepared.) (Planning Areas: San Antonio and Fruitvale)

Bryant introduced the item. Andrew Thomas, Planner II, Strategic Planning Division, described the proposal.

The public hearing was closed. Tagami moved to find the redevelopment plan amendment in conformance with the General Plan, seconded by Hausrath.

ACTION: On the motion: 6 ayes (Bytof, Jarvis, Hausrath, Pegram, Reyes, Tagami), 0 noes; the Commission's finding that the amendment is in conformance with the General Plan will be forwarded to the City Council.


CHARLES S. BRYANT
Secretary

Preliminary Plan Analysis

Background

On November 11, 1995, the City Council passed Resolution No. 72296, which expanded the Coliseum Area Redevelopment Plan survey area to include approximately 264 acres to the north of the Fruitvale Avenue boundary of the existing Project Area. This new area, referred to as the “San Antonio planning district” (formerly called the “Fruitvale-Kennedy Tract planning district”) is generally bounded by Fruitvale Avenue, International Boulevard, 22nd Avenue, Livingston Street, Kennedy Street, and the Oakland/Alameda city line.

Amended Preliminary Plan

On August 7, 1996, the City Planning Commission reviewed and recommended approval of an amendment to the Preliminary Plan for the Coliseum Area to include the additional 264 acres. On October 15, 1996, the Redevelopment Agency accepted the Preliminary Plan.

Like the existing Project Area, the amended area is characterized by a mixture of land uses including industrial, commercial, residential and transportation related. Roughly one third of the total amended area falls within Port jurisdiction. Land uses in this area are a mix of industrial/manufacturing, retail and commercial, residential and public uses. There are many examples of residential uses disbursed among industrial and manufacturing sites.

The primary uses of land in the northern section of this amended area are industrial and manufacturing, warehousing, and auto repair and restoration. Retail and commercial establishments are located primarily along East 14th Street (International Boulevard), East 12th Street, Fruitvale and 22nd Avenues. A core of medium density housing surrounded by industrial uses lies in the center of the amended area, with Interstate 880 creating the western boundary of this neighborhood. The vacant Montgomery Ward building dominates the 2700 block of International Boulevard.

The amended area extends from the northern edge of the Fruitvale Community Development District into the San Antonio Community Development District.

ANALYSIS OF THE COUNTY REPORT

Statement of Preparation and the Report of the County Fiscal Officer

In November, 1996, a Statement of Preparation of the First Amendment to the Coliseum Area Redevelopment Plan was transmitted to each of the affected taxing agencies. Fiscal Year 1996/97 was identified as the base year for the purposes of calculating tax increment (Attachment A).

Pursuant to Section 33328 of the California Health and Safety Code, the Office of the County Auditor-Controller is required to prepare a report of the 1996/97 base year property tax roll data for the amended project area, and provide it to the Redevelopment Agency within 60 days of receiving the Statement of Preparation.

Due to a lack of data, the County was unable to comply with the 60-day time frame, which ended in late January, 1997. In May, 1997, the Redevelopment Agency received the County Auditor-Controller's report, which placed the 1996/97 roll base year assessed valuation of all taxable property within the amended area (only the territory proposed to be added to the existing area) at \$165,314,984 (Attachment B).

The County Report also identified the following as affected taxing entities:

- Alameda County
- City of Oakland
- Oakland Knowland Zoo
- Peralta Community College
- Oakland Unified School District
- County Supt. Schools
- County Flood Control
- Flood Zone No. 12
- Bay Area Air Quality Mgmt.
- Mosquito Abatement District
- A.C. Transit District No. 1
- Bay Area Rapid Transit District
- East Bay Regional Park District
- East Bay Municipal Utilities District
- East Bay Municipal Utilities District 1
- Educational Rev. Augmentation Fund

Communications with Affected Taxing Agencies

On June 9, 1997, the "*Preliminary Report of the First Amendment to the Coliseum Area Redevelopment Plan*" was transmitted to each of the affected taxing agencies, pursuant to Section 33344.5 of the California Health and Safety Code (see Attachment C for the letter of transmittal). The Preliminary Report included, among other things, the reasons for selecting the proposed amended Project Area, a description of the general financing methods available and proposed methods of financing the Project, and a description of the proposed redevelopment program.

On June 26, 1997, staff telephoned representatives of each of the affected taxing agencies to ask if they had any particular concerns regarding the proposed plan amendment, and if they would like to arrange meetings to discuss related issues.

To date, only one agency, the Peralta Community College District has requested a meeting, which is tentatively scheduled for July 12, 1997. Oakland Unified School District has prepared a letter relating concerns over the potential impact development, especially residential development, may have on the school system. Staff has not yet received that transmittal. Alameda County Public Works Agency was faxed information upon request, and phone messages have been traded with a representative of A.C. Transit.

Representatives of the Oakland Knowland Zoo and the Mosquito Abatement District were reached, and do not wish to have any further consultation. Staff has not heard from the remaining agencies at the time of this writing.

CITY OF OAKLAND



CITY HALL • ONE CITY HALL PLAZA • OAKLAND, CALIFORNIA 94612

Office of City Manager
Craig G. Kocian
City Manager

(510) 238-3301
TTY/TDD (510) 238-3724

**STATEMENT OF PREPARATION OF AN AMENDMENT TO THE
REDEVELOPMENT PLAN FOR THE
COLISEUM REDEVELOPMENT PROJECT AREA**

TO: Auditor, Assessor, Tax Collectors of Alameda County, to all other affected taxing entities and to the State Board of Equalization.

Pursuant to Section 33327 of the California Health and Safety Code, you are hereby notified that the Redevelopment Agency of the City of Oakland is in the process of amending the redevelopment plan for the Coliseum Redevelopment Project Area, which will add approximately 285 acres of land to the existing project area, as shown on the attached map. It is the intention of the Agency to complete said amendment and to have it adopted pursuant to the California Community Redevelopment Law.

It is the intention of the Agency to use the FY 1996/97 roll as this additional area's Base Year Assessment Roll for the allocation of taxes pursuant to Section 33670 of the Health and Safety Code.

Dated: 11-19-96

Redevelopment Agency of the City of Oakland:

Signature:

CRAIG G. KOCIAN
Agency Administrator

1

4

ALAMEDA COUNTY
AUDITOR-CONTROLLER AGENCY
PATRICK O'CONNELL
AUDITOR-CONTROLLER/CLERK-RECORDER

ATTACHMENT B

May 22, 1997

City of Oakland
Office of Economic Development & Empl.
1333 Broadway, 9th Floor
Oakland, CA 94612

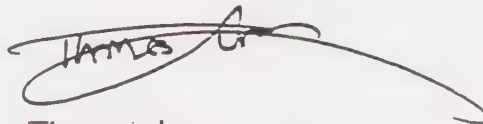
OAKLAND COLISEUM REDEVELOPMENT PROJECT PLAN

The City of Oakland Redevelopment Agency has issued notification for the amendment to the redevelopment plan for the Coliseum Redevelopment Project area.

Attached is a report of the 1996/97 base year roll data for the amended project area. The report is prepared pursuant to Section 33328 of the California Health and Safety Code.

Please contact the undersigned if you have any questions.

Sincerely,



Thomas Lum
Tax Manager

Enclosures

c: Ken Gross, CAO
Affected Taxing Agencies

Central Collections
Carl Gogna, Division Chief
4400 MacArthur Blvd.
Oakland, CA 94619
Tel. (510) 535-6300
Fax (510) 535-6330
QIC 21320

Office of the Auditor-Controller
Charles Roach, Chief Deputy Auditor
1221 Oak St., Rm 249
Oakland, CA 94612
Tel. (510) 272-6565
Fax (510) 272-6502
QIC 20109

Clerk-Recorder
Malenna Gonsalves, Assistant Recorder
1225 Fallon St., Rm 100
Oakland, CA 94612
Tel. (510) 272-6362
Fax (510) 272-6382
QIC 20715

OAKLAND COLISEUM REDEVELOPMENT PLAN

1996/97 BASE YEAR ASSESSMENT ROLL REPORT

This report is prepared pursuant to the provision of the California Health and Safety Code Section 33328 for the amendment to the redevelopment project per notification from the City of Oakland Redevelopment Agency dated November 19, 1996.

SECTION 33328:

(a) The 1996/97 roll base year assessed valuation of all taxable property within the amended area for property tax increment computation purposes is \$165,314,984.

(b,c,d) The following schedule identifies the agencies that receives a portion of the 1% Countywide tax together with the taxing agencies levying debt service taxes on property within the amended area, the amount of tax revenue derived by each of these agencies from property within the amended area and the approximate total ad valorem tax revenues generated for each agency from all property within their boundaries.

<u>TAXING AGENCIES</u>	<u>REVENUE</u>	
COUNTYWIDE 1% TAX:	AMENDED AREA	TOTAL REVENUE
County	\$ 245,551	\$ 128,008,525
City of Oakland	440,480	43,433,031
Oakland Knowland Zoo	2,905	283,997
Peralta Community College	43,677	7,212,215
Oakland Unified School	308,646	28,282,737
County Supt. Schools	5,595	4,981,084
County Flood Control	1,765	954,257
Flood Zone 12	26,122	2,687,002
Bay Area Air Quality Mgmt.	3,059	1,643,674
Mosquito Abatement Dist.	1,214	647,062
A.C. Transit District No. 1	76,506	22,369,528
Bay Area Rapid Transit Dist.	8,983	4,833,762
East Bay Regional Park	40,054	22,389,515
East Bay Municipal Utility Dist.	23,957	5,827,811
East Bay Municipal Utility Dist. No. 1	8,550	1,462,218
Educational Rev Augmentation Fund	<u>416,086</u>	<u>201,996,491</u>
TOTAL	\$ 1,653,150	\$ 477,012,909

TAXING AGENCIESREVENUE

VOTER APPROVED DEBT SERVICE:	AMENDED AREA	TOTAL REVENUE
Oakland Unified School	\$ 30,873	\$ 2,476,079
Peralta Community Coll.	7,109	1,164,344
Oakland U.S.D. E.C. 16090	13,267	1,048,853
East Bay Regional Park Dist.	13,514	5,812,386
Bay Area Rapid Transit Dist.	37,299	17,233,719
City of Oakland	<u>288,185</u>	<u>27,137,658</u>
TOTAL	\$ 390,247	\$ 54,873,039

- (e) The estimated first year taxes (1997/98) available to the Redevelopment Agency is \$35,660. In determining the incremental revenue, we assumed a 2% per year average rate of growth in the base year secured assessed valuation.

The following schedule details the breakdown of the normal distribution of the incremental revenue if not paid to the Redevelopment Agency:

TAXING AGENCIESREVENUE

	1% TAX	DEBT SERVICE	TOTAL
County	\$ 4,257		\$ 4,257
City of Oakland	7,635	4,951	12,586
Oakland Knowland Zoo	50		50
Peralta Community College	757	117	874
Oakland Unified School	5,350	754	6,104
County Supt. School	97		97
County Flood Control	31		31
Flood Zone No. 12	453		453
Bay Area Air Quality Mgmt.	53		53
Mosquito Abatement Dist.	21		21
A.C. Transit District No. 1	1,326		1,326
Bay Area Rapid Transit Dist.	156	645	801
East Bay Regional Park Dist.	694	229	923
East Bay Municipal Utility Dist.	415		415
East Bay Municipal Utility Dist. 1	148	309	457
Educational Rev Augmentation Fund	<u>7,212</u>		<u>7,212</u>
TOTAL	\$ 28,655	\$ 7,005	\$ 35,660


CITY OF OAKLAND



OFFICE OF ECONOMIC DEVELOPMENT AND EMPLOYMENT • 1333 BROADWAY, 9TH FLOOR • OAKLAND, CALIFORNIA 94612

PH: (510) 238-3015
TDD: (510) 839-6451

TO: Auditor, Assessor, Tax Collectors of Alameda County, to all other affected
taxing entities and to the State Board of Equalization

FROM: Jeffrey B. Chew 
Manager, Redevelopment Projects

DATE: June 9, 1997

RE: THE PRELIMINARY REPORT OF THE PROPOSED FIRST AMENDMENT
TO THE COLISEUM AREA REDEVELOPMENT PLAN

In November, 1996 a Statement of Preparation of the First Amendment to the Coliseum Area Redevelopment Plan was transmitted to all the affected taxing entities. Fiscal Year 1996/97 was identified as the intended base year for the purposes of this project.

Pursuant to Section 33344.5 of the Health and Safety Code, City staff has prepared the Preliminary Report of the proposed First Amendment to the Coliseum Area Redevelopment Plan. In compliance with Section 33344.5, the Preliminary Report contains the following information:

- The reasons for selection of the project area.
- A description of the physical and economic conditions existing in the project area.
- A description of the predominantly urbanized character of the project area.
- The financial feasibility of the project and the proposed methods of financing.
- A description of the project(s) proposed by the Agency.
- A description of how the project(s) will improve the conditions within the project area.

Please review this document, and direct any questions or comments to:

Janice Lang
City of Oakland
Community and Economic Development Agency
1333 Broadway, Ninth Floor
Oakland, CA 94612
telephone: (510) 238-6653

Community Participation in the Preparation of the Redevelopment Plan Amendment

Community participation was extensive in the preparation of the Coliseum Area Redevelopment Plan, which was adopted in July, 1995. The proposed plan amendment does not call for any changes to the original plan, except to extend the Project Area boundaries to include blighted neighborhoods to the north of, and adjacent to, the existing Project Area. As a result, there was very little content that would require extensive discussion. Staff did present the proposed Plan amendment to a variety of community groups and individuals at several forums, however. These are outlined below.

San Antonio/Fruitvale Area Team Community Meeting Thursday, February 6, 1997

Some forty people attended this meeting, which was held to discuss various activities that were underway and planned in the San Antonio/Fruitvale neighborhoods under the auspices of the Community and Economic Development Agency.

The First Amendment to the Coliseum Area Redevelopment Plan was discussed, and it was listed in a matrix that was distributed, outlining short-term and mid-term actions that were being undertaken. The large group was broken up into smaller discussion groups. While the attendees acknowledged the Plan amendment, there was little additional discussion of that action.

Fruitvale Community District Council Tuesday, May 20, 1997

A formal presentation was made by staff to the Fruitvale Community District Council. After a question and answer discussion period, the District Council accepted the report.

Coliseum Area Redevelopment Advisory Committee Wednesday, June 4, 1997

This body was instrumental in preparing the basis for the original Coliseum Area Redevelopment Plan. After a brief presentation by staff, the Committee adopted a motion to support the Plan Amendment.

San Antonio Community District Council Wednesday, June 11, 1997

A formal presentation was made by staff to the San Antonio Community District Council. The Council members had a variety of questions regarding redevelopment, its financing, and how the project area boundaries were derived. The Council objected to the Plan's reference to the proposed amended area as the "Fruitvale Kennedy Tract" planning district, and suggested that it would be more properly named the "San Antonio" planning district. Staff made the change in the Plan Amendment documentation where ever possible, and noted the name change in other reports.

File No. ER-97-19
Ref. No. _____

City of Oakland
Oakland, California

INITIAL STUDY AND ENVIRONMENTAL REVIEW CHECKLIST
California Environmental Quality Act (CEQA)

- I. PROJECT PROPONENT: City of Oakland Redevelopment Agency
- II. PROJECT NAME: Coliseum Area Redevelopment Plan Amendment
- III. PROJECT ADDRESS AND LOCATION:

The Coliseum Redevelopment Plan Amendment area boundary includes property fronting 22nd Avenue on the northwest, East 14th Street on the northeast, Fruitvale Avenue on the southeast (where it abuts the existing Coliseum Redevelopment Plan area), the Oakland/Alameda border to the southwest, and 23rd Avenue to the west. A couple of blocks are also included in a triangle between Livingston Street Avenue, 22nd Avenue, and I-880.

- IV. LEAD AGENCY: City of Oakland
Community and Economic Development Agency
Zoning Division
1330 Broadway, 2nd floor
Oakland, Calif. 94612

Agency Contact: Anu Raud

Telephone Number: (510) 238-6346

V. ENVIRONMENTAL DETERMINATION:

On the basis of this initial environmental evaluation:

- [] I find that the proposed project will not have a significant effect on the environment, and a Negative Declaration will be prepared.
- [x] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the attached mitigation measures have been incorporated into the project. Therefore, a **Mitigated Negative Declaration** will be prepared.
- [] I find that the proposed project may have a significant effect on the environment, and an Environmental Impact Report is required to assess the effects on the environment.

WILLIE YEE, JR.
Environmental Review Officer

By: ANU RAUD
Environmental Review Coordinator

Anu Raud
Signature

5-22-97
Date

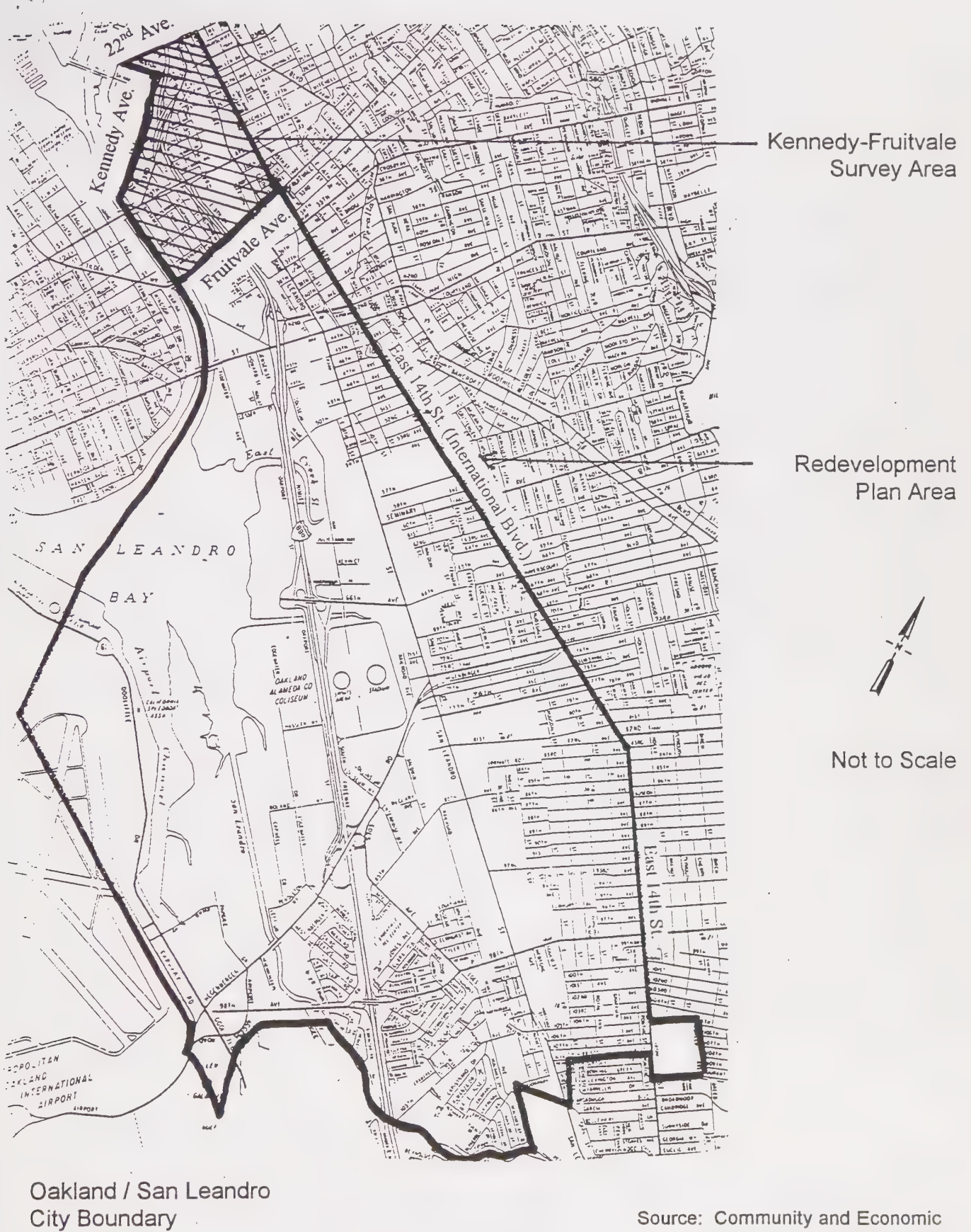


FIGURE 1

Coliseum Area Redevelopment Plan Boundaries and Proposed Survey Area

Maxwell & Associates

IV. DESCRIPTION OF THE PROJECT:

The project would amend the existing Coliseum Area Redevelopment Plan (Redevelopment Plan) to include an additional 264 acres. The Kennedy-Fruitvale Redevelopment Survey Area (survey area) would be added as a new planning area to the Coliseum Area Redevelopment Plan (Redevelopment Plan). The seven existing planning areas include: Fruitvale / Central Corridor Planning District, Elmhurst / Central East Corridor Planning District, Edgewater Industrial Planning District, Elmhurst Industrial Planning District, Coliseum/Hegenberger Planning District, Brookfield Planning District, and Airport/Recreation Planning District.

The Planning Commission would have to find conformity of the Redevelopment Plan with the General Plan.

The Coliseum Area Redevelopment Plan EIR was prepared to disclose environmental impacts of the Redevelopment Plan. The Draft EIR for this plan was published on February 15, 1995. Comments were received during the public comment period from February 15 to April 3, 1995. A public hearing on the Draft EIR was conducted by the City Planning Commission on March 8, 1995. After the close of the public comment period, the Summary of Comments and Responses and Draft EIR Text Changes volume was published on June 7, 1997. This volume together with the Draft EIR comprise the Final EIR for the Coliseum Area Redevelopment Plan EIR. The Final EIR was certified as complete on July 25, 1995.

The EIR included a 15-year analysis period to the year 2010. Analysis beyond this time frame was considered speculative due to the lack of available information, and the unknown and speculative nature of development beyond this time. This Initial Study analyzes impacts to the year 2010. The Initial Study for amending the Redevelopment Plan tiers off the EIR for the Redevelopment Plan. Because this document has been prepared two years subsequent to the original analysis (1997 compared to 1995), the analysis period for this document includes a 13-year time frame.

The existing Redevelopment Plan also contains 10 target areas where the majority of development within the Redevelopment Plan area is encouraged through redevelopment actions and strategies. No additional target area would be added to this survey area. Impacts of development are addressed within the EIR for both the target areas and the remainder area (the area not included within a target area). Development impacts that apply to the remainder area of the existing Redevelopment Plan would be similar to impacts in this survey area.

Redevelopment Plan Actions and Objectives

Blighting factors in the Coliseum Redevelopment Plan area (Redevelopment Plan area) are both the cause and effect of the downward spiral of economic and physical conditions within the area. As noted in the Coliseum Area Redevelopment Plan EIR, this situation would not be expected to be alleviated or reversed by private enterprise actions alone.

The 10 Redevelopment Plan objectives listed in the Coliseum Area Redevelopment Plan EIR would also apply to the survey area. These 10 objectives include: job training / employment opportunities; stimulating home ownership; improving public safety; improving the quality of the residential environment; eliminating land use conflicts; improving transportation, public facilities and infrastructure; abating the most visible deteriorated conditions, stimulating development; assisting neighborhood commercial revitalization; and attracting and retaining businesses.

Area-wide actions discussed on page 3-5 to 6 of the Coliseum Area Redevelopment Plan EIR would also apply to the survey area. These actions include: 1) implementing transitional zoning and buffers; 2) assisting property owners, through grants or loans, in rehabilitating housing units that are in relatively poor condition; 3) implementing employment training/placement; and 4) marketing the area to new businesses. This material is incorporated by reference into this Initial Study.

Specific actions proposed for the survey area include landscaping and street lighting improvements to create buffers between residential and industrial properties that abut each other, and to increase public safety. Neighborhood revitalization efforts are also proposed along International Boulevard (East 14th Street) to improve facades and to encourage active retail uses.

In the future, roadway improvements may be necessary to alleviate circulation problems and to also improve public safety. After potential roadway improvements are identified, their environmental impacts must be evaluated.

Project Characteristics

Amending the Redevelopment Plan to add the survey area would allow tax increment funding to be used to remove blight (including hazardous materials) from the area. One strategy of the Redevelopment Plan is to provide capital for acquisition and rehabilitation of parks, open space, libraries, etc.

Anticipated development within the 13-year analysis time frame for this Initial Study (to the year 2010), would include improving existing industrial, commercial and residential properties, improving the streetscapes through landscaping and street lighting, and rehabilitating parks and open spaces. Funds may also be available for public school improvements or new schools.

The Fruitvale Station Shopping Center was recently constructed, the Jingtowntown Housing Development construction is nearing completion, and the Oakland Animal Shelter was recently approved.

Two projects have been proposed in the survey area and are anticipated to occur with or without adding the survey area to the Redevelopment Plan. These include: 1) a project at the Montgomery Ward site which has yet to be defined in terms of type of development, and 2) the Oakland Estuary Plan, which is proposed to support waterfront development for a variety of uses including open space and recreation.

Impacts of an approximate 100,000 square foot shopping center project were analyzed for the Montgomery Ward site. Impacts of a shopping center would result in: less-than-significant project-related traffic increases, less-than significant project-related regional emission increases, and less-than significant localized carbon monoxide increases. Noise generated by operation of a shopping center would generally be less than the noise generated by existing traffic, the adjacent railroad, and BART uses. Although construction noise levels would temporarily create noise impacts, mitigation measures have been identified that would reduce impacts to a less-than-significant level. A project at the Montgomery Ward site may also increase the amount of pedestrian traffic from the main Fruitvale shopping district on International Boulevard and from the neighborhood east of International Boulevard. However, existing crosswalks make this site accessible from these areas, and increased pedestrian traffic would not be a significant impact. Whatever project is proposed for the site would have the potential to result in significant impacts on the Montgomery Ward historic building. Because of this historic building, an EIR will be required if a project proposes to demolish the building. If the historic building is reused, appropriate environmental analysis under *CEQA* will be required.

No new large-scale development projects not already proposed are anticipated within the 13-year analysis time frame. With the limited amount of tax increment funds available in the early years of implementing the Redevelopment Plan, no large investments in additional new projects is anticipated. Early actions will be aimed toward removing obvious signs of blight and providing public improvements. Planned public improvements include providing landscaping and street lighting, rehabilitating parks and open spaces, and improving (or constructing) public schools..

Proposed Project Financing

Tax increment financing would be used to help remove blight and to improve the area. Other sources of City, state, and federal funds could be used for job training operations. Federal Community Development Block Grant funds could be used for neighborhood commercial revitalization including small business revolving loan fund, landscaping and lighting, and mixed-use projects. City funds could be used to attract and retain business with establishment of the Oakland Commerce Corporation and a one-stop business assistance center. Finally, bonds may be issued against future tax increment funds.

VII. DESCRIPTION OF THE ENVIRONMENTAL SETTING

The existing Redevelopment Plan area is located in the City of Oakland and encompasses about 6,500 acres around the Oakland / Alameda County Coliseum Complex. The project would amend the Coliseum Area Redevelopment Plan by adding the Kennedy-Fruitvale Redevelopment Survey Area. The survey area encompasses approximately 264 acres and is adjacent to the northwestern boundary of the Redevelopment Plan area at Fruitvale Avenue. See Figure 1 on page 2 for survey area boundaries.

The survey area boundary includes property fronting 22nd Avenue on the northwest, International Boulevard on the northeast, Fruitvale Avenue on the southeast (where it abuts the existing Coliseum Redevelopment Plan area), the Oakland/Alameda border to the southwest, and 23rd Avenue to the west. A couple of blocks are included in a triangle between Livingston Street Avenue, 22nd Avenue, and I-880 which can only be accessed via the Embarcadero.

Major transportation facilities in the survey area are the same as discussed in the Coliseum Area Redevelopment Plan EIR. The major roadways of the Redevelopment Plan within or adjacent to the survey area are Fruitvale Avenue and International Boulevard. In addition, 23rd Avenue, which connects to the City of Alameda, and East 12th Street are also major roadways within the survey area.

Sources: Ballanti, Donald, "Air Quality Analysis for the Proposed Montgomery Ward Reuse Project, Oakland," November 1995; Charles M. Salter, Associates, letter to David J. Powers & Associates, November 30, 1997; City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995; Korve Engineering, Inc., "Montgomery Ward Reuse Traffic Impact Study," December 4, 1995.

VIII. ENVIRONMENTAL EFFECTS

(*CEQA* requires that an explanation of all "yes" and "maybe" answers be provided along with this checklist, including a discussion of ways to mitigate any significant effect identified. As defined here, a significant effect is considered a substantial adverse effect.)

Earth. Will the project result in:

- | | | | | |
|----|--|--------------------------|--------------------|----------------------------|
| 1. | Unstable earth conditions, including mudslides, landslides or changes in geologic substructures either on or off-site? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |
| 2. | Any increase in wind or water erosion of soils either on or off-site, due to increased water runoff caused by conversion of pervious to impervious surfaces or to other factors. | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |
| 3. | Changes in deposition or erosion that result in changes in siltation, deposition or erosion which may modify the channel of a creek, inlet, lake or any other waterway? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |
| 4. | Major changes in topography or ground surface relief features, or disruptions, displacements, compaction or overcovering of the soil? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |

5. Construction on loose fill or other unstable land that might expose people or property to geologic hazards, such as earthquakes, liquefaction or ground failure, or similar seismic hazards?
- Yes

☒No

Maybe

Comment: The survey area is relatively flat and so major changes in topography or ground surface relief features would not be anticipated in the area, and the area is not subject to mudslides or landslides. Ground failure effects would be potentially significant, if not mitigated. In addition, during a major earthquake, casualties and damage can be caused by falling objects, collapsed structures, fire and miscellaneous injuries (including heart attacks). Ground shaking impacts within the study area could be potentially significant if not mitigated. For individual projects within the survey area, onsite erosion caused by wind or by increased water runoff and deposition or erosion that may affect a waterway may be temporarily increased due to construction period activities. Appropriate erosion control measures will be required for inclusion for individual project approvals as required by the City’s grading ordinance.

See also mitigation measures under Items 10, 11, and 14, below.

Construction at any location within the survey area may be preceded by detailed and extensive site-specific geotechnical engineering investigations including exploratory borings, to help assess the characteristics and the lateral and vertical distribution of the underlying fill and soil materials. The mitigation measures presented in this Initial Study are general in nature, as appropriate for a plan. The following measures for weak soils and seismic effects may be implemented during plan development due to potentially significant ground settlement and ground failure:

1. For weak soils, either preloading or dynamic deep compaction may be implemented. In some cases, the loose materials may be removed preparatory to being returned to the site. Foundation design options typically entail distributing the building load by spread footing, mat foundations, or pile driving. In addition, compaction grouting or minipiles may be used.
2. Mitigation for seismically induced strong ground shaking may be accomplished by means of special structural design and/or base isolation. Subsequent to building construction, fixtures such as book cases and water heaters may be secured so that they cannot topple.

With these mitigation measures, potentially significant ground settlement, ground failure and ground shaking would be mitigated to a less-than-significant level.

For any future development in the survey area, loose soil conditions, or exposing people or property to geologic or seismic hazards would be anticipated to be less than significant if the mitigation measures, above, are followed.

Sources: City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995; Environmental Hazard Element of the *Oakland Comprehensive Plan*; Site visits on March 25 and May 6, 1997.

6. Construction within one-quarter mile of an earthquake fault? X
Yes No Maybe

Comment: The survey area is located more than two miles from any known active earthquake fault.

Source: Alquist Priolo Special Studies Map.

7. Substantial depletion of nonrenewable natural resource or inhibition of its extraction? X
Yes No Maybe

Comment: Because this project is for a redevelopment plan, it is difficult to say what types of projects could eventually get built in the area, which is an already largely developed urban area. No mining activities are located in the City of Oakland and no extraction of a natural resource would occur in the survey area.

Sources: Redevelopment Plan Amendment Description; Open Space, Conservation and Recreation (OSCAR) Element of the *Oakland Comprehensive Plan*.

Air and Water. Will the project result in:

8. Substantial air emissions, deterioration of ambient air quality or the creation of objectionable odors? X
Yes No Maybe
9. Alteration of air movement, moisture, temperature, or any change in climate either locally or regionally? X
Yes No Maybe

Comment: The existing Redevelopment Plan will affect air quality primarily through construction-related emissions, transportation-related vehicular exhaust emissions, and stationary source activities. Construction-related emissions would be short-term and would depend on each specific development project that would occur within the Redevelopment Plan area. Transportation-related vehicular exhaust emissions would be long-term and would be directly related to the employment projects associated with the Redevelopment Plan. It is unknown what, if any, stationary source activities would occur as a result of implementing the proposed Redevelopment Plan, but any impacts would be long term. This analysis is incorporated by reference in this Initial Study from pages 4-117 to 138 of the Coliseum Area Redevelopment Plan EIR.

Because of the minor scope of the Redevelopment Plan Amendment, no new large-scale development that would not otherwise occur is expected within the survey area within the next 13 years. Because of the potential for significant, temporary air emission impacts if one large construction site or several simultaneous smaller construction activities occurred at the same time within the Redevelopment Plan area and the survey area, the following measures are identified as program-level guidelines to reduce construction emissions to a less-than significant level:

- 1. Implement a dust control plan which may include the following specific provisions: regular watering of disturbed soil (at least twice per day); placing tarps over dirt or debris in haul trucks or alternatively maintain two feet of freeboard in haul trucks loaded with dirt or debris; hydroseeding of all cleared or graded areas if construction on the parcel is not expected to begin within 60 days; washing construction site access points to public streets for a distance of 250 feet in each direction at the conclusion of each workday.
- 2. Equipment and truck exhaust emissions may be minimized by performing a low-NOx tune-up on all off-road equipment before it arrives at the job site, and by limiting allowable truck idling to five minutes while waiting to load or unload materials.
- 3. Contractors may be encouraged to participate in rideshare programs, provide off-street parking for construction workers, and minimize deliveries during peak hours.

Annexing the survey area into the Redevelopment Plan would not cause any noticeable additional increase in regional vehicular emissions due to the limited scale of projects anticipated in the survey area within the next 13 years. Thus no additional significant cumulative air quality effects would occur due to amending the Redevelopment Plan.

The City may participate in the Alameda County congestion Management Agency corridor management plan.

The scale of individual projects within the proposed survey area would not result in any significant alteration in air movement or changes in climate.

Sources: Site visits on March 25 and May 6, 1997; City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

- | | | | | |
|-----|---|---------------------------------|---|-----------------------------------|
| 10. | Discharge into surface waters resulting in substantial degradation of surface water quality including but not limited to turbidity, absorption rates, drainage patterns, or the rate or amount of surface runoff? | <div>_____</div> <div>Yes</div> | <div><div>_____</div><div>x</div></div> <div>No</div> | <div>_____</div> <div>Maybe</div> |
| 11. | Alterations to the course of flood waters, or the exposure of people or property to water related hazards such as flooding or tidal waves? | <div>_____</div> <div>Yes</div> | <div><div>_____</div><div>x</div></div> <div>No</div> | <div>_____</div> <div>Maybe</div> |

Comment: Any construction-related activities within the survey area would potentiality contribute additional pollutants to surface flows. Grading would potentially contribute eroded soil particles to surface runoff. Any construction in the survey area would be required to conform to the Oakland Storm Water Management and Discharge Controls which would help avoid otherwise potentially significant water quality degradation. Thus, if any development occurs within the survey area, its water quality impacts would be less than significant.

Sausal Creek runs through the southern boundary of the survey area. The amendment to the Redevelopment Plan would also add additional acreage near San Leandro Bay to the Redevelopment Plan where future development could occur. Future development in the survey area could include construction of new or existing buildings, including demolition, land clearing, and excavation for foundations, although most of such anticipated development would not be expected until after the 13-year analysis period for the survey area.

Portions of the survey area near San Leandro Bay and Sausal Creek are within the mapped boundaries of the 500-year flood event. The survey area is largely developed land and is almost entirely impervious. Thus if any development occurs in the survey area, it would not be expected to increase the volume of storm water runoff overall.

Sources: City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995; Flood Insurance Rate Map Floodplain Maps, FEMA, 1982; Ordinance 11590 CMS adopting Storm Water Management and Discharge Controls, Chapter 20, *Oakland Municipal Code*, June 1, 1993; Sowers, Janet M., Watershed Map of the Oakland-Berkeley Area, the Oakland Museum, 1993.

- | | | | | |
|-----|---|--------------------------|--------------------------|----------------------------|
| 12. | Change in groundwater quantity, through direct addition or withdrawal, or interception of an aquifer by cuts or excavation? | <u> </u>
Yes | <u> X </u>
No | <u> </u>
Maybe |
|-----|---|--------------------------|--------------------------|----------------------------|

Comment: The scale of individual projects within the survey area would not result in any change to groundwater. The City of Oakland receives water from the East Bay Municipal Utility District (EBMUD), and not through direct ground water withdrawal.

Sources: Coliseum Area Redevelopment Plan Amendment description; City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

Biotic. Will the project result in:

- | | | | | |
|-----|---|--------------------------|--------------------------|----------------------------|
| 13. | Reduction in quantity or diversity of plant and animal species in the project vicinity, interfere with migratory or other natural movement patterns, degrade existing habitats or require extensive vegetation removal? | <u> </u>
Yes | <u> X </u>
No | <u> </u>
Maybe |
| 14. | Reduce the number or any unique, rare or endangered species of plants or animals? | <u> </u>
Yes | <u> X </u>
No | <u> </u>
Maybe |
| 15. | Introduction of new species of plants or animals into an area, or result in a barrier to the replenishment of existing plant species, or the migration or movement of animals? | <u> </u>
Yes | <u> X </u>
No | <u> </u>
Maybe |

16. Deterioration to existing aquatic or wildlife habitat?

<u> </u>	<u> X </u>	<u> </u>
Yes	No	Maybe

Comment: Most of the survey area is an urbanized and built-out area with most of the vacant land previously disturbed by development. Urbanized environments have little wildlife habitat value. Potential impacts to biological resources would be primarily due to loss of existing habitat because of new construction on previously undisturbed land near San Leandro Bay. This analysis applies to these sensitive lands near the Bay.

Potential habitat for two plants, the Soft Bird's Beak and Point Reyes Bird's Beak, exists in salt marshes surrounding San Leandro Bay. The Delta tule pea is also potentially present in the area's habitat.

Tidal wetlands allow for diversity of animal species and could include species such as the federally endangered California salt marsh harvest mouse and California Clapper rail. The San Francisco fork-tailed damselfly, a federal candidate 3 species, and the California brackishwater snail, a federal candidate 2 species may occur near the sloughs. The burrowing owl could occur in open fields.

Any adverse impacts to special status species or sensitive habitats would be considered significant. Specific impacts to sensitive species or habitats would be determined on a project specific basis. Impacts in the survey area would be considered similar to impacts in the Redevelopment Plan area. The following mitigation measures may be implemented:

1. In or near wetland habitats or other area where special status species potentially occur, surveys may be required prior to construction to determine the presence or absence of special status species. These studies would provide information to assess project specific impacts to vegetation and wildlife, such a channeling of sloughs or creeks, loss of wetland habitat, or increasing non-native species, and allow modification of project plans to avoid sensitive species or to provide a sufficient buffer for them.
2. Wetland mitigation plans may be prepared according to U.S. Army Corps of Engineers guidelines for individual projects within the survey area that would impact "Waters of the United States" and wetland habitats.
3. New construction along Sausal Creek could adversely effect the ecology of the stream. A minimum buffer zone of 50 feet may be established from the top of the stream banks on both sides within the survey area, within which development (including construction, storage, and vehicular traffic) may be prohibited. Night lighting may be directed away from natural areas.
4. Developers of projects near wetlands in the survey area may construct sediment detention basins, and install oil and grease traps in storm drain facilities.

- 5. During construction, developers of projects near wetlands may use sediment retention devises such as hay bales and/or silt fences, and possibly restrict grading operations to the dry season when there would be less potential to adversely impact wetlands.
- 6. Monitors may be on-site during construction in sensitive areas.
- 7. Vehicles may be restricted to designated roads and parking areas in proximity to surface waters and wetlands, and not allowed within the designated buffer (see Measure 3, above).

With implementation of these measures for development projects in the survey area, impacts on unique, rare or endangered species would be less than significant.

Sources: Site visits on March 25 and May 6, 1997; City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

Noise. Will the project result in?

- | | | | | |
|-----|---|--------------------------|--------------------|----------------------------|
| 17. | Increase in existing ambient noise levels near sensitive noise receptors? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |
| 18. | Exposure of people to severe noise levels? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |

Noise levels in the survey area are generally high with the highest noise levels occurring in areas adjacent to I-880. The existing noise level in Community Noise Level Equivalents (CNEL) at 50 feet from the roadway centerline at Fruitvale Avenue is 71 decibels (dBA), at International Boulevard is 72 dBA, and at San Leandro Street is 73-79 dBA. Existing noise environments in the vicinity of the I-880 freeway, adjacent to major thoroughfares, and along railroad lines are generally incompatible with residential and other noise-sensitive uses.

Traffic increases resulting from cumulative future Oakland and Bay Area development could exacerbate existing noise compatibility problems along major thoroughfares. Noise compatibility concerns with existing or designated residential uses being located near major thoroughfares or existing or new industrial development could occur.

Any future development or land uses that would result from implementing the Redevelopment Plan in the survey area would generate short-term construction-related noise increases and possibly introduce long-term operational noises increases in areas currently not occupied by these uses.

Sensitive receptors in addition to the residential land uses are located in the survey area, including child-care centers, Lazear Elementry School on 29th Avenue, and Beacon School on Livingston Street.

Annexing the survey area into the Redevelopment Plan would bring more sensitive receptors into the Redevelopment Plan. However, due to the scale of individual projects within the survey area, no significant effects on sensitive noise receptors would be anticipated.

As future development proposals are made within the survey area, the potential for construction-related noise impacts on adjacent or nearby sensitive receptors may be evaluated. Mitigation measures would be required at that time as deemed necessary.

To ensure that any construction noise impacts within the survey area would be less than significant, the following mitigation measures may be included:

- 1. Utilize the best available noise control techniques (e.g, improved mufflers, equipment redesign, use of silencer, ducts, and engine enclosures) on construction equipment and trucks.
- 2. Limit the hours of operation of heavy equipment when feasible.
- 3. Locate stationary noise sources as far from adjacent residences as possible, and use of hospital grade mufflers on all stationary noise sources, if necessary, or enclosures within temporary sheds.
- 4. Use hydraulically or electrically powered impact tools (e.g., jack hammers, pavement breakers, and rock drills) wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools.

Source: City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

Light and Glare. Will the project result in:

19.	Produce new light or glare in areas sensitive to light and glare (i.e., residents near industrial and commercial uses, freeways, and parks)?	<div>Yes</div>	<div><div>X</div>No</div>	<div>Maybe</div>
20.	Produce shade and shadow, or otherwise diminish sunlight or solar access?	<div>Yes</div>	<div><div>X</div>No</div>	<div>Maybe</div>

Comment: Any development within the survey area has the potential to introduce light and glare to a sensitive area, or to result in building heights, setbacks and bulk that are not consistent with surrounding buildings. However, due to the limited scale of potential development in the survey area within the next 13 years, light, glare, and shadow effects would not be anticipated.

Sources: Coliseum Area Redevelopment Plan Amendment description; Site visits on March 25 and May 6, 1997.

Land Use and Socioeconomic factors. Will the project result in:

21. Conflict with approved plans for the area or the Oakland Comprehensive Plan or alter the present or planned land use of an area?
- Yes

X

No

Maybe

Comment: The *Oakland Comprehensive Plan* includes the following policy: “to protect and improve Oakland’s physical environment.” A major goal of the Redevelopment Plan is: “the elimination of blighting influences and the correction of environmental deficiencies in the Project Area, including among others, small and irregular lots, faulty exterior spacing, obsolete and aged building types, mixed character or shifting uses or vacancies, incompatible and uneconomic land uses, substandard alleys, and inadequate or deteriorated public improvements, facilities and utilities.”

Sources: *Oakland Comprehensive Plan*; *Coliseum Area Redevelopment Plan*.

22. Require relocation of residents and/or businesses, or affect existing housing or create a demand for additional housing?
- Yes

X

No

Maybe

Comment: No specific large-scale development is anticipated to occur in the survey area that would not otherwise occur. Thus it is unlikely that any residents and businesses would be expected to relocate within the 13-year analysis period.

Sources: Coliseum Area Redevelopment Plan Amendment description; City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

23. Cause a substantial alteration in neighborhood land use, density or character?
- Yes

X

No

Maybe

Comment: The purpose of a redevelopment plan is to eliminate economic and physical blight within the area. The survey area along International Boulevard, 23rd Avenue, the portion of 29th Avenue near the Alameda border, and 22nd Avenue is largely retail in nature. The area along East 9th Street west of Fruitvale Avenue includes a recently built shopping center. West of this shopping center is an elementary school, and west of the elementary school is a predominately residential area. The areas near Livingston Street, including the southwest side of 22nd Avenue, and property along the railroad tracts near East 12th Street, are largely industrial. The area along East 12th Street is mostly mixed retail and industrial with one two-block area of residences. The remainder of the survey area contains mostly mixed residential and industrial land uses. Other land uses include two churches and child-care centers.

Actions proposed for the short term in this survey area include landscaping and lighting. These actions would help to eliminate blight and would not cause a substantial alteration in neighborhood land use, density or character.

Sources: Site visits of March 25 and May 6, 1997; City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

Human Health and Risk of Upset. Will the project involve:

24. The risk of an explosion or the release of hazardous substances, including oil, pesticides, chemicals or radiation, in the event of an accident that could create or expose people to potential health hazards?
- Yes

X

No

Maybe

Comment: Within the survey area, land uses of concern are generally associated with industrial and some commercial land uses, with chemical handling/storage practices being a common source of contamination. Current chemical handling/storage practices are regulated and pose less environmental risk than historical practices. Historical uses of hazardous substances were not subject to the current level of regulation, and previous handling, storage and management practices may have resulted in the contamination of soils or groundwater that has been previously unidentified.

A computerized search of regulatory agency lists was conducted in 1997 to identify sites within the survey area that are potentially contaminated with hazardous substances (NATEC, 1997). These lists include sites where contamination is either suspected or confirmed by the regulatory agencies. The hazardous materials regulatory framework and the agency lists reviewed to identify these sites are described in the Hazardous Materials Technical Report prepared for this project and on file at the Community and Economic Development Agency (CEDA), Zoning Division, 1330 Broadway, 2nd Floor, Oakland, California. In conducting the record search, all sites within the survey area were identified. The site name, address, and database(s) it was identified in are summarized in Table 1 in the Hazardous Materials Technical Report. A total of 30 potential hazardous waste sites were identified within the survey area.

Identification of a site on a regulatory agency list does not necessarily indicate that contamination has occurred, only that the regulatory agencies have had reason to suspect that contamination has occurred. For this program level Initial Study, regulatory agency files were not reviewed to determine the status of these sites identified by the database search. When development is proposed within the survey area, it will be necessary to perform a complete environmental phase I assessment for each development to investigate the potential for hazardous substances in more detail.

Sites identified on the regulatory lists represent only those sites which are suspected of being contaminated or have had cause for hazardous materials investigations, generally due to site disturbance activities such as removal of an underground storage tank, a spill of hazardous substances or excavation for construction. Due to the history of urbanization and use of hazardous substances in the survey area, the potential exists for hazardous substances to be present at previously unidentified sites within the survey area due to existing or historical land uses. Future

construction activities or other site disturbances during redevelopment could identify additional hazardous waste sites.

During development in the existing Redevelopment Plan area, impacts could result from demolition or renovation activities, which could expose workers or the community to hazardous building materials, or from excavating activities, which may result in short term exposure of workers of the community to hazardous materials. Long term exposure could also occur if construction were conducted on a contaminated site that had not been appropriately remediated. This material is incorporated by reference into this Initial Study. Impacts in the survey area would be similar to impacts in the Redevelopment Plan Area. Project specific impacts would need to be assessed on the basis of individual environmental assessments completed for each project.

The City may implement the program level mitigation measures identified in the Coliseum Area Redevelopment Plan EIR, pages 4-187 to 192 to maintain hazardous materials impacts at a less-than-significant level for any development or redevelopment within the survey area. Although no significant impacts were identified on a program level, due to potential redevelopment within the Redevelopment Plan area and the survey area, the following mitigation measures should be implemented for any development projects:

1. Prior to introduction of new business development and industrial activity in the Coliseum Redevelopment area, the City should review design plans for each proposed new business development to ensure that the approved goals, objective, and guidelines in the Alameda County Hazardous Waste Management Plan are satisfied by the project. Documentation of that review should be added to the administrative record.
2. Buffering provisions of the Redevelopment Plan may be implemented with particular emphasis on separating hazardous material users/producers from sensitive receptors such as residences and schools.
3. All new hazardous material storage and handling areas may be situated on sealed, reinforced concrete surfaces (inside and outside) to minimize the possibility of environmental contamination in the event of an accidental spill. Areas where hazardous liquids are handled may be enclosed by walls or berms. A roof should also cover loading, unloading, and handling areas to minimize any rain or moisture coming into contact with hazardous substances. Prior to approval of individual new development, the Oakland Fire Department may examine design plans for hazardous substance storage areas during its Fire Code / Building Plan review to ensure compliance with this provision. Documentation of this review shall be added to the administrative record.
4. The City of Oakland should encourage proper handling of hazardous materials by new businesses in the Coliseum Redevelopment area. In compliance with State law (SB 14), new businesses that handle enough hazardous materials to generate wastes in reportable quantities (12,000 kilograms per year of hazardous waste or 12 kilograms per years of extremely hazardous waste) shall be required to have approved Source Reduction Evaluation and

Review Plans on file. Qualifying new industries should prepare such plans and file them with the Alameda County Department of Environmental Health by September 1 following start up of business operations. Each September, the City should contact the Department of Environmental Health to confirm that new businesses have filed their source reduction plans, if applicable. Documentation of the annual review should be added to the administrative record.

5. Each September, the CEDA Building Division should contact the Fire Department to confirm that permitted new businesses in the Redevelopment Plan area have prepared and filed Hazardous Materials Management Plans as directed. Documentation to that effect should be added to the administrative record.
6. Each September, the City should contact the Alameda County Department of Environmental Health to confirm that new businesses in the Redevelopment Plan area that have been directed to prepare a Risk Management and Prevention Plan have done so. Documentation to that effect should be added to the administrative record. Once per year, the City should contact the County to check that new hazardous waste storage areas are in order. Documentation to that effect should be added to the administrative record.
7. All storm water runoff (and runoff from fire suppression activities) that would come from hazardous substance handling areas or enters hazardous substance handling areas should be collected and tested prior to discharge. Sumps should be built to contain any runoff collected; these would also contain any spills and mixtures of runoff and spills. Sumps could be used to hold runoff until it could be treated and either discharged to the sewer or disposed of as hazardous waste.

Sources:

City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1997.

Encyclopedia of Occupational Health & Safety, 3rd Edition, 1983. Technical Editor Dr. Luigi Parmeggiani. International Labor Office, Geneva.

Harte, John; Holdren, Cheryl; Schneider, Richard; and Shirley, Christine, *Toxics A to Z, A Guide to Everyday Pollution Hazards*. University of California Press, 1991.

NATEC Environmental Reporting Services, Ltd, Environmental Disclosure Report, April 1997. Site locations were provided by NATEC Environmental Reporting Service in their Environmental Disclosure Report dated April 1997.

Orion Environmental Associates, "Hazardous Materials Technical Report, Coliseum Area Redevelopment Plan Amendment," prepared for Maxwell & Associates, May 1997.

25.
- Possible interference with an emergency response plan or emergency evacuation plan?
- Yes

X

No

Maybe

Comment: Upon review of the goals and objective of the city’s Multi-Hazard functional Plan (“City Emergency Plan”) in comparison to the proposal, it can be determined that the proposed plan would not interfere with the emergency routes tentatively identified by the plan. In addition, the proposal is within the scale of development as delineated in the *Oakland Comprehensive Plan*.

Sources: Multi-Hazard Functional Plan (City Emergency Plan) for the City of Oakland.

Transportation/Circulation: Will the project result in:

26.
- Substantially increase vehicular movement resulting in traffic hazards to motor vehicles, bicyclists, or pedestrians; or create a demand for new parking facilities?
- Yes

X

No

Maybe
27.
- Alteration to present patterns of circulation or movement of people and/or goods, or alterations to waterborne, rail or air traffic?
- Yes

X

No

Maybe
28.
- Have a substantial impact on existing transportation systems or circulation patterns?
- Yes

X

No

Maybe

Comment: Traffic to be generated by the existing Redevelopment Plan was estimated by applying average trip generation rates to the various land use categories in each analysis target area. Because the traffic analysis is based on subtracting the Plan-related impacts from cumulative impacts, this is a more conservative analysis for traffic impacts than if the total changes anticipated for the area were subtracted. The directional distribution of the project’s traffic was estimated from data derived for the Redevelopment Plan area from the Metropolitan Transportation Commission (MTC) peak hour traffic model. The generated traffic was assigned to the Redevelopment Plan area.

Because the existing Redevelopment Plan impacts are subtracted from the cumulative total, any impacts that would not be significant under cumulative conditions would not be significant under Redevelopment Plan conditions. Fruitvale Avenue which runs along the south border of the survey area would operate at unacceptable conditions in the year 2010 with or without implementation of the Redevelopment Plan. Restriping from two to four lanes would provide enough capacity to bring the level of service to an acceptable level of service, but would require parking prohibitions. Parking demand along this segment is not anticipated to be significant with implementation of the Redevelopment Plan, and no serious adverse parking impacts would result from parking prohibitions. Thus restriping Fruitvale for four lanes, with parking prohibitions, would mitigate the traffic impacts identified for this location to a less-than-significant level.

This material is incorporated by reference into this Initial Study from the Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

Redevelopment Plan-related vehicular traffic in the survey area would not result in significant traffic effects that could not be mitigated. Annexing the survey area into the Redevelopment Plan would not cause any additional increase in vehicular trips due to Redevelopment Plan implementation due to the limited scale of development anticipated within the survey area within the next 13 years,

The following mitigation measure may be implemented to assure that no significant effects would result due to the amendment to the Redevelopment Plan:

- 1. Restriping Fruitvale Avenue from two to four lanes, with parking prohibitions, would mitigate the traffic impacts identified for this location to a less-than-significant level.

Annexing the survey area to the Redevelopment Plan could be accommodated by the existing roadway and transit network. Amending the Redevelopment Plan would not cause any additional increase in vehicular trips due to Redevelopment Plan implementation within the next 13 years that would not otherwise occur.

It is estimated that the existing Redevelopment Plan would generate about 600 commute transit trips in both the morning and the afternoon peak periods. When spread among the various target areas within the Redevelopment Plan area, any given transit route or line would receive a fraction of these total ridership levels. Additional transit trips may occur due to amending the Redevelopment Plan. However, because of the scale of development anticipated within the survey area within the next 13 years, these transit impacts would not be considered significant.

Public Services and Utilities. Will the project have an effect upon, or result in a need for new or altered public services in any of the following areas:

- | | | | | |
|-----|--|---------------------------------|---|-----------------------------------|
| 29. | Impose a burden on public services or facilities including fire, solid waste disposal, police, schools or parks? | <div>_____</div> <div>Yes</div> | <div><div>X</div><div>_____</div></div> <div>No</div> | <div>_____</div> <div>Maybe</div> |
| 30. | Impose a burden on existing utilities including roads, electricity, gas, water and sewers? | <div>_____</div> <div>Yes</div> | <div><div>X</div><div>_____</div></div> <div>No</div> | <div>_____</div> <div>Maybe</div> |

Comment: Because no new large-scale additional development is expected beyond that which would occur without the Redevelopment Plan in the survey area within the next 13 years, no additional impacts would be expected on roads, utilities, and public services. Because no significant effects are identified for either the Redevelopment Plan or the proposed amendment to the Redevelopment Plan, no mitigation measures are warranted.

Cultural Resources. Will the project:

- | | | | | |
|-----|--|--------------------------|--------------------|----------------------------|
| 31. | Destroy, deface or alter a structure, object, natural feature or site of prehistoric, historic, architectural, archaeological or aesthetic significance? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |
| 32. | Result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object? | <u> </u>
Yes | <u> x </u>
No | <u> </u>
Maybe |

Comment:

Prehistoric Archaeology

Two particularly important archaeologic sites are located in Berkeley and Emeryville, north of the Redevelopment Plan area. Three other sites are an important cluster in the Newark area. Six prehistoric sites are located within the Redevelopment Plan area. Archaeological sites within any of the target areas would be the most susceptible to development impacts. Subsurface construction activities within archaeologically sensitive target areas or within archaeologically sensitive portions of the remainder area (not within a target area) of the Redevelopment Plan area could led to discovery of previously unknown prehistoric cultural deposits. One prehistoric site is within the survey area.

Impacts within the survey area would be similar to impacts within the Redevelopment Plan area. However, the survey area is part of the remainder area of the Redevelopment Plan, and relatively little development is anticipated to occur within the remainder area. In addition, no new large-scale development is expected to occur within the next 13 years in the survey area that would not otherwise occur without amending the Redevelopment Plan.

With implementation of the following mitigation measures, impacts on prehistoric resources within the survey area would be less than significant.

1. Focused evaluation of proposed subsurface land alteration activities in the vicinity of recorded archaeological resources, and effects on cultural deposits may be conducted. Field review of the specific project area(s) may be required. A determination of effect on specific cultural resources and a determination of the importance of the affected resources would be required. In circumstances where it is determined that potentially significant archaeological deposits would be directly impacted, a limited subsurface archaeological testing program should be conducted.
2. In circumstances where intact, important archaeological deposits would be disturbed or destroyed, a pre-construction data recovery program should be conducted. This measure would be appropriate if the potential significance of the deposits has been made and the site(s) could not be avoided by redesign or relocation of the project.

Data recovery programs of this nature should be undertaken by a qualified professional archaeologist, knowledgeable in the prehistory of the region. The specific nature and extent of the excavations should be developed in response to the circumstances of potential impacts, in accordance with prevailing professional standards and within the context of a detail research design.

The California Native American Heritage Commission should be consulted during all phases of subsurface archaeological investigation to identify individuals and groups that may have specific project-related concerns. Procedures should comply with procedures set forth by the Native American Heritage Commission regarding impact to Native American Burial remains. All data recovery programs should result in comprehensive technical reports that meet prevailing professional standards.

3. In the event that unknown subsurface archaeological deposits or features are encountered anywhere in the survey area, work in the immediate vicinity of the archaeological find should be halted, a professional archaeologist consulted and a recovery plan or an appropriate course of action developed in consultation with the State Historic Preservation officer and the City. All such procedures should be conducted within the context of *CEQA* Guidelines Appendix K cultural resource management requirements.

Architectural and Historic Resources

A total of one "A," two "B," and about 38 "C" rated buildings have been identified in the survey area. Four Areas of Secondary Importance are located in the survey area: 1) Fruitvale Neighborhood Commercial District, 2) 23rd Avenue Commercial District, 3) the vicinity of 26th Avenue and International Boulevard, and 4) the complex of Cotton Mills buildings.

Any new development within the survey area could adversely affect potential and identified historic buildings or historic districts within the survey area. Construction of a building adjacent to an historic building or district would have the potential to have an adverse physical affect (including vibration effects) or aesthetic effect on an historic building in the survey area. However, no large-scale development is anticipated to occur within the next 13 years that would occur due to annexing the survey area to the Redevelopment Plan.

The Redevelopment Plan does not in and of itself authorize or lead to demolition or alteration of historic structures. Likewise, annexing the survey area into the Redevelopment Plan would not in and of itself cause or lead to demolition of any historic structure or impact on an historic district or building. In addition, no large-scale development is anticipated in the survey area within the next 13 years that would not otherwise occur.

In the survey area, a project may be constructed on the Montgomery Ward site. Impacts of demolishing the existing Montgomery Ward building are potentially significant. However, the potential for demolishing the building exists with or without the Redevelopment Plan, as does the fact that an EIR would be required for its demolition. If a project redeveloped the existing

Montgomery Ward building, it would require appropriate environmental review under *CEQA*, depending on its potential for significant effects.

At the present, no demolition or alteration of any historic resource is anticipated except for the Montgomery Ward building. However, should such a project be proposed, an appropriate environmental analysis would be performed under *CEQA*.

An Historic Architecture Technical Report has been prepared for this project which provides additional information on historic criteria, historic districts, and individual rated buildings. This report is on file at the City of Oakland, CEDA, Zoning Division, 1330 Broadway, 2nd floor, Oakland, California, 94612.

Program-level mitigation measures may be included for the survey area that would mitigate any potential future project effects except for demolition of historic structures. Implementation of these measures would reduce the potentially significant direct and indirect impacts on identified and on unidentified historic resources of the Redevelopment Plan Amendment to a less-than-significant level. Residual impacts of individual projects may still be significant due to demolishing historic structures and may require additional environmental review. However, impacts attributable to Redevelopment Plan implementation would be less than significant. Further environmental review is not required at this time for this programmatic-level document because potential impacts, if any, would be speculative.

1. Direct Impacts

- a. Prior to major development within the survey area, that is identified as containing a potentially important historical structure, the individual project applicant should prepare and present to the Zoning Administrator a historic resources evaluation for the proposed project site, which should include consultation with the State office of Historic Preservation, the Oakland Cultural Heritage Survey, and the Landmarks Preservation Advisory Board.

Development is defined here as:

Changes to building uses and/or changes in land use or activity:

Construction of new buildings;

Exterior alterations to existing buildings;

Demolition; or

An increase in development intensity on a parcel.

- b. CEDA should be consulted prior to any construction, rehabilitation or infrastructure improvement activities to determine whether any designated or potential architectural or historical resources are located on or near the site. The historic resources evaluation should be reviewed by CEDA at this time. If no such resources are encountered, the activity may proceed. If this survey and evaluation identifies historic resources on a parcel, mitigation measures identified in this Mitigation Section should be implemented, as appropriate.

If the activity would affect a City Landmark or be within an S-7 zone, Design Review is required under the Zoning Regulations. If the activity would affect a property on the Preservation Study List or one which appears to be for City Landmark designation and/or inclusion in an S-7 zone, the Zoning Administrator should consult with the Landmarks Preservation Advisory Board and the City Planning Commission to determine whether those bodies wish to initiate formal designation and/or rezoning. If the proposed activity involves demolition of a property that is a City Landmark, is in an S-7 Zone, or is on the Preservation Study List, issuance of the demolition permit should be deferred to allow the interested parties to confer and attempt to work out a proposal that would avoid demolition.

- c. If the historic resources survey conducted by the individual project development identifies the project sites as a historic property, the developer should demonstrate efforts to the City of Oakland CEDA to avoid demolition, relocation or alteration of any identified historic properties when developing the individual project. Redesign of an individual project may be required to successfully implement this mitigation measure, including incorporation of appropriate mitigation measures into the project design using widely accepted standards for historic resources management, such as the *Secretary of Interiors Guidelines for Rehabilitation* and the *State Historic Building Code*.
- d. If demolition of the historic property cannot be avoided, the developer of an individual project should demonstrate efforts to relocate the historic property to a location approved by the City of Oakland CEDA and the Landmarks Preservation Advisory Board.
- e. If relocation of the historic property is not feasible and demolition cannot be avoided, the developer of an individual project should fund and conduct the preparation of document in accordance with the Historic American Buildings Survey (HABS). The documentation should be reviewed and approved the City of Oakland CEDA and the Landmarks Preservation Advisory Board.

2. Indirect Impacts

- a. Prior to major development within the survey area, the individual project applicant should prepare and present to the Zoning Administrator a historic resources evaluation for the Area of Potential Effect (APE) of the proposed project site. The Area of Potential Effect for a project site should be defined as properties visible from the project site.

This historic resources evaluation should include a survey of the Area of Potential Effect conducted by a suitably qualified expert as determined by the City of Oakland CEDA. The evaluation should also include consultation with the State office of Historic Preservation, the Oakland Cultural Heritage Survey, and the Landmarks Preservation Advisory Board.

Development is defined here as:

Changes to building uses and/or changes in land use or activity:

Construction of new buildings;
Exterior alterations to existing buildings;
Demolition; or
An increase in development intensity on a parcel.

- b. The CEDA should be consulted prior to any major construction, rehabilitation or infrastructure improvement activities to determine whether any designated or potential architectural or historical resources are located on or near the site. The historic resources evaluation should be reviewed by the CEDA at this time. If no such resources are encountered, the activity may proceed. If this survey and evaluation identifies historic resources on a parcel, mitigation measure identified in this Mitigation Section should be implemented, as appropriate.

If the activity would affect a City Landmark or be within an S-7 zone, Design Review is required under the Zoning Regulations. If the activity would affect a property on the Preservation Study List or one which appears to be for City Landmark designation and/or inclusion in an S-7 zone, the Zoning Administrator should consult with the Landmarks Preservation Advisory Board and the City Planning Commission to determine whether those bodies wish to initiate formal designation and/or rezoning.

Sources: California State Assembly, *Assembly Bill 2881*, Frazee, 1992. An Act to Amend Sections 5020.1, 5020.4, 5020.5, 5024.6 and 21084 of, and to add Sections 5020.7, 5024.1, and 21084.1 to, the *Public Resources Code*, relating to historic resources.

City of Oakland, Coliseum Area Redevelopment Plan EIR, certified July 25, 1995.

City of Oakland, citywide Preliminary Historical and Architectural inventory, 1986 and 1987.

City of Oakland, CEDA Zoning Division, Oakland Cultural Heritage Survey.

Hill, Ward, "Historic Architecture Technical Report, Coliseum Area Redevelopment Plan Amendment," prepared for Maxwell & Associates, May 1997.

Historic Preservation Element of the *Oakland Comprehensive Plan*.

National Historic Preservation Act, Section 106 and its implementing regulations found at 36 CFR 800.

Aesthetics.

- | | | | | | | | | |
|-------------------|---|--|-------------------|--------------|-------------------|-----|----|-------|
| 33. | Involve an increase of 100 feet or more in the height of any structure over any previously existing adjacent structure? | <table border="0"><tr><td><u> </u></td><td><u> x </u></td><td><u> </u></td></tr><tr><td>Yes</td><td>No</td><td>Maybe</td></tr></table> | <u> </u> | <u> x </u> | <u> </u> | Yes | No | Maybe |
| <u> </u> | <u> x </u> | <u> </u> | | | | | | |
| Yes | No | Maybe | | | | | | |

34. The obstruction of any scenic vista or view open to the public? x
Yes No Maybe

Comment: Although no projects that would involve an increase of 100 feet or more in height are anticipated within the next 13 years, any possible impacts would be mitigated by applicable use permit criteria and performance standards, and appropriately sensitive site design.

Much of the survey area contains mixed residential and industrial land uses or retail and industrial land uses. The BART tracts, train tracks, I-880, 23rd Avenue, and East 12th Street cross the area to provide a sense of separation between neighborhoods. These transportation corridors provide long range views. Few of the residential neighborhoods are entirely residential. Jingtletown is the most residential area. Throughout most of the survey area, residential blocks are interspersed with industrial or retail land uses, which break up the residential nature. No consistent landscape theme is found in the survey area.

Sources: Coliseum Area Redevelopment Plan Amendment description; Scenic Highways Element of the *Oakland Comprehensive Plan*; Open Space, Conservation and Recreation Element of the *Oakland Comprehensive Plan*; Land Use Element of the *Oakland Comprehensive Plan*; Site visits on March 25 and May 6, 1997.

Energy. Would the project:

35. Use or encourage use of substantial quantities of fuel or energy? x
Yes No Maybe

Comment: All new buildings would be required to meet the standards for energy efficiency as set forth in Title 24 of the *California Code of Regulations*. These standards would reduce the possibility of wasteful energy use with respect to building heating, cooling, and lighting. The Redevelopment Plan would encourage in-fill development which results in greater utilization of existing infrastructure rather than an extension of infrastructure into previously undeveloped areas. Such a plan would tend to reduce the number of miles traveled for commuting and shopping purposes and would increase the feasibility of public transit opportunities, with a corresponding decrease in consumption of fuel for transportation purposes.

Annexing the survey area into the Redevelopment Plan would have similar impacts as discussed in the Coliseum Area Redevelopment Plan EIR. Title 24 would also apply to new development in the survey area, and transportation-related energy use would also be less than significant. The measures included on pages 4-276 to 277 of the Coliseum Area Redevelopment Plan EIR may be implemented for the survey area to reduce cumulative energy consumption in new buildings.

IX. MANDATORY FINDINGS OF SIGNIFICANCE (An EIR is required if the answer to any of the following questions is "yes" or (maybe.)"

- a.

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of an aquatic or wildlife species, cause an aquatic or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal species, or eliminate important examples of the major periods of California history or prehistory?

Yes

x

No

Maybe

b.

Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact of the environment is one that occurs in a relatively brief, definitive period of time, while long-term impacts will endure will into the future.

Yes

x

No

Maybe

c.

Does the project have impacts that are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

Yes

x

No

Maybe

d.

Does the project have environmental effects that would cause substantial adverse effects on human being, either directly such as from noise, air pollution, or relocation, or indirectly such as from traffic generation, or loss of bio-diversity along the open creeks.

Yes

x

No

Maybe

X. DETERMINATION

On the basis of this initial environmental evaluation:

I find that the proposed project will not have a significant effect on the environment, and a Negative Declaration will be prepared.

x

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the attached mitigation measures have been incorporated into the project. Therefore, a Mitigated Negative Declaration will be prepared.

I find that the proposed project may have a significant effect on the environment, and an Environmental Impact Report is required to assess the effects on the environment.

Name: Anu Raud

Date: May 22, 1997

Coliseum \ Initial Study

26

05/22/97

Prepared by Ward Hill
for Maxwell & Associates
May 19, 1997

TECHNICAL REPORT:
ARCHITECTURAL \ HISTORIC RESOURCES
Coliseum Area Redevelopment Plan Amendment

The following includes the Primary Record from the State of California, Department of Parks and Recreation for the Jinglestown-Kennedy Tract District.

- *P1. a. Resource Identifier (assign a name or number): JT2 - Jingletown-Kennedy Tract District
b. Other Identifier: 019 0082 JT2
- *P2. Location: a. County Alameda
b. Address 2513-2743 EAST 11TH ST/2780-2784 EAST 8TH/LISBON/PORTWOOD
City Oakland, CA Zip 94601
c. UTM: USGS 7.5' Quad Oakland East Date 1959 (1980) Zone: 10 567380 mE / 4181500 mN
d. Other Locational Data (e.g. parcel #, legal description, additional UTMs, etc.) OCHS 234
UTMs: 2. 567750 mE / 4181110 mN 3. 567610 mE / 4180940 mN 4. 567340 mE / 4181170 mN
- *P3. a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, etc.):

The Jingletown-Kennedy Tract district is a large visually distinctively, self contained Victorian/turn of the century residential district of approximately 161 buildings, on 164 assessor's parcels, on all or part of 10 blocks, in the Fruitvale neighborhood. Terrain is flat. Street pattern is a regular grid. Lots and setbacks are small. Buildings are generally similar in size, age, and varied in design. Properties are generally in good condition; integrity is excellent to fair. Most buildings date from the 1870s-1910s. The main property type is Queen Anne cottage. Others include Colonial Revival cottage and Stick cottage. Typical buildings are one story, rectangular plan, with hip and gable roof. Construction is wood frame. Exteriors are mainly rustic siding and clapboard, with millwork. Alterations include some aluminum windows, new siding, new steps and railings, new construction. Surroundings are industrial, freeway, differing from the district in use and scale. Building dates are 10 from the 1860s-70s, 49 from the 1880s-90s, 91 from the 1900s-10s, 3 from the 1920s, 3 from the 1950s and after, by field observation. Uses are 140 residential, 2 commercial, 14 industrial, 4 institutional. Individual building ratings are 1 A or B (highest or major importance), 24 C (secondary importance), 117 D (minor importance), 17 E or * (of no particular interest, modernized, or too recent to be rated), and the district appears locally significant. Approximately 137 properties (85%) appear to contribute to the district's significance. Another 10 might contribute if restored.

b. Resource attributes: HP02--Domestic/single dwelling

- *P4. Resources present: / /Building / /Structure / /Object / /Site /X/District (ASI) / /Element of District / /Other



- *P5. Photo: Number: 740-2A
Photo date: 09/19/96
26th Av & E 9th St looking SE
- *P6. Date Constructed/Age, and Source:
/ /Prehistoric /X/Historic / /Both
1870s-1910s E
field observation
- *P7. Owner and Address:
multiple: consult assessor
- *P8. Recorded by (name, affiliation, address):
Oakland Cultural Heritage
Survey, 1330 Broadway #310,
Oakland 94612 (510-238-3941)
- *P9. Date Recorded: 09/30/96
- *P10. Type of Survey: / /Intensive
/X/Reconnaissance / /Other

- *P11. Report Citation: OCHS Completion Report, CLG Project #06-95-10104, 9/30/96 (Citywide Recon.)
OCHS vol.B; Neighborhood Survey Centers, 1981

*Attachments: / /None /X/Location Map / /Sketch Map /X/Continuation Sheet / /Building, Structure, & Object Record / /Other
Substitute DPR 523A (ochspdis.frm, rev 9/11/96)

*Resource Name or #: JT2 - Jingletown-Kennedy Tract District
2513-2743 EAST 11TH ST/2780-2784 EAST 8TH/LISBON/PORTWOOD Oakland
019 0082 JT2

*Map Name: Oakland East

*Scale: 1:24,000

*Date of Map: 1959 (1980)

UTM(s): 10/567380 mE/4181500 mN

567750/4181110

567610/4180940

567340/4181170

0 | 1000 | 2000 | 3000 | 4000 | 5000 | feet

NORTH at top



Preliminary Property List

Address	Prelim. Rating	Est. Date	Parcel Number	
800-10 23RD AV	X		019 0088 010	
816 23RD AV	X		019 0088 011	
910 23RD AV	X		019 0088 012	
912-16 23RD AV	X		019 0088 001	W
1010 25TH AV	D2+	1900S	019 0090 018	
1020 25TH AV	Dc2+	1870S	019 0090 019	
1024 25TH AV	C2+	1898	019 0090 020	
1028 25TH AV	Dc2+	1890S	019 0090 021	
1030-34 25TH AV	Dc2+	1890S	019 0090 001	
907 26TH AV	D2+	1900S	019 0088 009	
913 26TH AV	D2+	1908	019 0088 008	
917 26TH AV	D2+	1900S	019 0088 007	
920-22 26TH AV	Dc2+	1880S	019 0087 015	
930-34 26TH AV	C2+	1880S	019 0087 016	
936-38 26TH AV	Dc2+	1890S	019 0087 001	
816 27TH AV/NW COR E 8TH AV		1965	019 0083 016	
823 27TH AV/@NIMTZ FREEWAY	D2*	1910s	019 0082 006	
824 27TH AV	D2+	1900s	019 0083 017	
828 27TH AV	D2+	1900s	019 0083 018	
829 27TH AV	F2-	1974	019 0082 004	
832-34 27TH AV	D2+	1908	019 0083 019	
838 27TH AV	D2+	1909	019 0083 020	
860 27TH AV	Dc2+	1890s	019 0083 001	
907 27TH AV	D2+	1910S	019 0087 010	M
911 27TH AV	D2+	1910S	019 0087 010	N
915 27TH AV	C2+	1895	019 0087 009	
921 27TH AV	C2+	1895	019 0087 008	
925 27TH AV	Dc2+	1895	019 0087 007	
929 27TH AV/SW COR E10TH ST	D2+	1895	019 0087 006	
2780 EAST 8TH ST	F2-		019 0084 020	W
2784 EAST 8TH ST	D2+	1905	019 0084 020	E
EAST 9TH ST			019 0087 014	
2605 EAST 9TH ST	B-2+	1920s	019 0082 001	E
2605 /2 EAST 9TH ST	D2+C?	1910s	019 0082 001	W
2611 EAST 9TH ST	C2+	1880s	019 0082 001	S
2628-30 EAST 9TH ST	C2+	1895	019 0087 013	
2629 EAST 9TH ST	D2+	1900	019 0082 002	
2634-36 EAST 9TH ST	Dc2+	1900S	019 0087 012	
2639 EAST 9TH ST/851 27TH AV	C2+	1900s	019 0082 003	
2642 EAST 9TH ST	Fc2*	1870S	019 0087 011	
2646 EAST 9TH ST/NW COR 27TH AV	D2*	1900S	019 0087 010	S
2701 EAST 9TH ST/SE COR 27TH AV	D2+	1910s	019 0083 001	
2707 EAST 9TH ST	D2+	1910	019 0083 001	
2709-11 EAST 9TH ST	F2-	1922	019 0083 002	
2712 EAST 9TH ST	Dc2+	1890s	019 0086 018	
2715 EAST 9TH ST	Dc2+	1890s	019 0083 003	
2716 EAST 9TH ST	F2-	1959	019 0086 017	
2722 EAST 9TH ST	Dc2+	1890S	019 0086 016	
2729 EAST 9TH ST	D2+	1907	019 0083 005	
2731-33 EAST 9TH ST	Dc2-	1890s	019 0083 006	

Preliminary Property List

Address	Prelim. Rating	Est. Date	Parcel Number			
2734 EAST 9TH ST	D2+	1900s	019	0086	015	
2737-41 EAST 9TH ST	Dc2+	1890s	019	0083	007	
2744 EAST 9TH ST	D2+	1906	019	0086	014	
2745 EAST 9TH ST	Dc2+	1890s	019	0083	008	
2748 EAST 9TH ST	Dc2+	1870s	019	0086	012	
2749 EAST 9TH ST	D2+	1905	019	0083	009	
2751 EAST 9TH ST/SW COR LISBON	C2+	1896	019	0083	010	
2752 EAST 9TH ST/NW COR LISBON	D2+	1900s	019	0086	011	
2801-03 EAST 9TH ST/SE COR LISBON	D2+	1900s	019	0084	001	
2802 EAST 9TH ST/NE COR LISBON	Dc2-	1890s	019	0085	010	W
2804 EAST 9TH ST	F2-	1906	019	0085	010	E
2805 EAST 9TH ST	Dc2+	1900	019	0084	002	
2808 EAST 9TH ST	D2*	1900s	019	0085	009	
2815 EAST 9TH ST	D2+	1908	019	0084	004	
2819 EAST 9TH ST	D2+	1908	019	0084	005	
2823 EAST 9TH ST	C2+	1860s	019	0084	006	
2824 EAST 9TH ST	D2+	1900s	019	0085	006	
2829 EAST 9TH ST	D2+	1908	019	0084	007	
2830 EAST 9TH ST	C2+	1906	019	0085	005	
2833 EAST 9TH ST	D2+	1908	019	0084	008	
2836 EAST 9TH ST	D2+	1900s	019	0085	004	
2837 EAST 9TH ST	D2+	1906	019	0084	009	
2841 EAST 9TH ST	Fd2*	1906	019	0084	010	
2844-46 EAST 9TH ST/NW COR PORTWOOD	C2+	1890s	019	0085	003	
2851 EAST 9TH ST/SE COR PORTWOOD	D2+	1910	019	0084	027	
2859 EAST 9TH ST	D2+	1900s	019	0084	028	
2866 EAST 9TH ST	C2+	1890s	019	0085	024	
2872 EAST 9TH ST	Ec2*	1890s	019	0085	023	
2878 EAST 9TH ST	Dc2+	1890s	019	0085	022	
2502 EAST 10TH ST/1000 25TH AV	Dc2+	1899	019	0090	018	
2505 EAST 10TH ST	D2+	1900S	019	0088	001	E
2506 EAST 10TH ST	Dc2+	1890S	019	0090	017	
2512 EAST 10TH ST	C2+	1890S	019	0090	016	
2515 EAST 10TH ST	D2+	1900S	019	0088	003	
2516-18 EAST 10TH ST	Dc2+	1895	019	0090	015	
2522-24 EAST 10TH ST	D2+	1900S	019	0090	014	
2523 EAST 10TH ST	Dc2+	1880S	019	0088	003	
2529-35 EAST 10TH ST	Dc2+	1912	019	0088	005	
2530 EAST 10TH ST	D2+	1906	019	0090	013	
2534 EAST 10TH ST/NW COR 26TH AV	D2+	1910S	019	0090	012	
2615 EAST 10TH ST	D2+	1901	019	0087	002	W
2619 EAST 10TH ST	D2+	1901	019	0087	002	E
2621 EAST 10TH ST	Dc2+	1895	019	0087	003	
2622 EAST 10TH ST	Dc2+	1890S	019	0091	012	
2627 EAST 10TH ST	D2+	1901	019	0087	004	
2630-32 EAST 10TH ST	C2+	1880S	019	0091	011	
2634 EAST 10TH ST	Dc2+	1890S	019	0091	010	
2635 EAST 10TH ST	D2+	1908	019	0087	005	
2642 EAST 10TH ST	D2+	1906	019	0091	009	
2648 EAST 10TH ST	D2+	1906	019	0091	008	

Preliminary Property List

Address	Prelim. Rating	Est. Date	Parcel Number			
2701 EAST 10TH ST/SW COR 27TH AV	Fd2+	1900s	019	0086	001	
2702 EAST 10TH ST/NE COR 27TH AV	D2+	1906	019	0092	016	
2705 EAST 10TH ST	D2+	1900s	019	0086	002	
2708 EAST 10TH ST	Dc2+	1890s	019	0092	015	
2709 EAST 10TH ST	D2+	1900s	019	0086	003	
2714 EAST 10TH ST	Dc2+	1890s	019	0092	014	
2715 EAST 10TH ST	Fd2*	1870s	019	0086	004	
2720-22 EAST 10TH ST	Dc2+	1890s	019	0092	013	
2721 EAST 10TH ST	C2+	1890s	019	0086	005	
2725-27 EAST 10TH ST	C2+	1890s	019	0086	006	
2728-30 EAST 10TH ST	D2+	1900s	019	0092	012	
2732 EAST 10TH ST	D2+	1900s	019	0092	012	
2733-35 EAST 10TH ST	D2+	1903	019	0086	007	
2736 EAST 10TH ST	Dc2+	1905	019	0092	011	
2737 EAST 10TH ST	Dc2+	1870s	019	0086	008	
2742 EAST 10TH ST	D2+	1920	019	0092	010	
2745 EAST 10TH ST	D2+	1900s	019	0086	009	
2748 EAST 10TH ST/NW COR LISBON	Dc2+	1890s	019	0092	009	S
2749 EAST 10TH ST/SW COR LISBON	D2+	1900s	019	0086	010	
2801 EAST 10TH ST/SE COR LISBON	Dc2+	1870s	019	0085	011	
2811 EAST 10TH ST	D2+	1900s	019	0085	012	
2815 EAST 10TH ST/2815 E 9TH AV	Fd2*	1910s	019	0085	012	
2823 EAST 10TH ST	D2+	1900s	019	0085	014	
2829 EAST 10TH ST	D2+	1905	019	0085	015	
2835 EAST 10TH ST	D2+	1904	019	0085	016	
2841 EAST 10TH ST	D2+	1900s	019	0085	017	
2845 EAST 10TH ST/SW COR PORTWOOD	D2+	1903	019	0085	001	
2855-57 EAST 10TH ST/NE COR PORTWOOD	C2+	1880s	019	0085	018	
2861 EAST 10TH ST	D2+	1915	019	0085	019	
2513 EAST 11TH ST	Dc2+	1870s	019	0090	002	
2517 EAST 11TH ST	C2+	1870s	019	0090	003	
2525 EAST 11TH ST	D2+	1906	019	0090	004	
2531 EAST 11TH ST	D2+	1904	019	0090	005	
2551 EAST 11TH ST	Dc2+	1890s	019	0090	008	
2559 EAST 11TH ST/SW COR 26TH AV	D2+	1900s	019	0090	010	
2635 EAST 11TH ST	Dc2+	1900s	019	0091	006	
2649 EAST 11TH ST	C2+	1908	019	0091	007	
2705 EAST 11TH ST/SE COR 27TH AV	D2+	1909	019	0092	001	
2709 EAST 11TH ST	D2+	1919	019	0092	002	
2717 EAST 11TH ST	C2+	1880s	019	0092	003	
2721 EAST 11TH ST	C2+	1890s	019	0092	004	
2731-33 EAST 11TH ST	C2+	1890s	019	0092	005	
2735 EAST 11TH ST	Dc2+	1890s	019	0092	006	
2739-41 EAST 11TH ST	Dc2+	1870s	019	0092	007	
2743 EAST 11TH ST/SW COR LISBON	D2+	1916	019	0092	008	N
812 LISBON AV/NE COR E 8TH AV	D2+	1900s	019	0084	021	
815-17 LISBON AV	D2+	1900s	019	0083	014	
818 LISBON AV	D2+	1905	019	0084	025	
823-25 LISBON AV	D2+	1900s	019	0083	013	
826 LISBON AV	C2*	1890s	019	0084	037	

Preliminary Property List

Address	Prelim. Rating	Est. Date	Parcel Number			
831 LISBON AV	D2+	1905	019	0083	012	
832 LISBON AV	Fd2*	1900s	019	0084	036	
835 LISBON AV	C2+	1890s	019	0083	011	
1011 LISBON AV	D2+	1910s	019	0092	009	N
1021 LISBON AV	D2+	1900s	019	0092	008	S



Photo #: 740-3A
Date: 09/19/96
E 9th St looking S
ID: 019 0082 JT2

Photo #: 740-4A
Date: 09/19/96
E 9th St looking NW
ID: 019 0082 JT2



Prepared by Orion Environmental Associates
for Maxwell & Associates
May 19, 1997

**TECHNICAL REPORT:
HAZARDOUS SUBSTANCES REGULATORY FRAMEWORK
Coliseum Area Redevelopment Plan Amendment**

Hazardous materials and hazardous wastes are extensively regulated by various federal, state, regional, and local regulations, with the major objective of protecting public health and the environment. The major regulations are presented below. This appendix also presents a summary of the agency lists that were reviewed to identify sites that are permitted to generate hazardous wastes or store hazardous materials in underground storage tanks as well as sites where soil or groundwater quality may have been degraded by hazardous substances. The date of each agency list reviewed is identified in Table 1.

Federal Regulations

The U.S. Environmental Protection Agency (U.S. EPA) is the lead agency responsible for enforcing federal regulations that affect public health or the environment. The primary federal laws and regulations include: the Resource Conservation and Recovery Act of 1976 (RCRA); the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA); and the Superfund Act and Reauthorization Act of 1986 (SARA). Federal statutes pertaining to hazardous materials and wastes are contained in the Code of Federal Regulations (40 CFR).

These laws require that responsible parties report any known hazardous waste contamination of soil or groundwater as defined in 40 CFR to the USEPA. State and local agencies must also be informed. Any contamination that threatens the public health or environment must be remediated by the responsible party according to standards set by the USEPA. RCRA also contains regulations for the safe storage, transportation and disposal of hazardous wastes.

The federally published lists of sites which trace the status of suspected hazardous materials sites or identify sites permitted to generate hazardous wastes include:

Table 1: Summary of Databases Reviewed

Name of List	Responsible Agency	Acronym	Date of List	Number of Sites Identified
National Priority List	USEPA	NPL	Feb. 1997	0
Potentially Contaminated Sites	USEPA	CERCLIS	Jan. 1996	2
Toxic Chemical Release Inventory	USEPA	SARA	Oct. 1996	0
Federal Superfund Liens	USEPA	LIENS	Nov. 1992	0
USEPA Hazardous Waste Generators	USEPA	RCRA	Nov. 1996	44
Abandoned Sites Program	DTSC	CAL-SITES	Mar. 1996	5
California Bond Expenditure Plan	DTSC	BEP	Jan. 1990	0
Hazardous Waste and Substances Site List	CA Office of Planning and Research	CORTESE	Nov. 1990	8
Leaking Underground Storage Tanks	Regional Water Quality Control Board	LUST	Nov. 1996	9
Waste Management Unit Discharge Systems	Regional Water Quality Control Board	WMUDS	Oct. 1996	0
Solid Waste Information System	CA Integrated Waste Management Board	SWIS	Apr. 1997	0
Waste Discharge System	CA Environmental Affairs Agency	WDS	Aug. 1995	0
Emergency Response Notification System	US Coast Guard	ERNS	Aug. 1995	0
Underground Storage Tanks	State Water Resources Control Board	UST	Aug. 1994	11

Source: Orion Environmental Associates

- the National Priority List (NPL), which prioritizes sites with significant risk to human health and the environment;
- the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), which tracks contaminated properties identified under CERCLA and SARA;
- the toxic chemical release inventory which identifies sites which have reported a chemical release to the air, water, or land as required by Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA);
- the Federal Superfund Liens list (LIENS) which identifies properties where the USEPA has placed a lien because the USEPA has spent money for remedial action or notified the potential of liability for remedial action. This list is compiled by the Office of Enforcement and Compliance Monitoring of the USEPA;
- the list of facilities permitted to handle hazardous wastes under RCRA, including, but not limited to transporters, conditionally exempt small quantity generators, small quantity generators, large quantity generators, treatment/storage/disposal (TSD) facilities, burners/blenders, transporters, and handler violations; and
- the Emergency Response Notification System (ERNS) which identifies spills of oil or hazardous substances reported pursuant to Section 103 of CERCLA as amended, section 311 of the Clean Water Act, and sections 300.51 and 300.65 of the National Oil and Hazardous Substances Contingency Plan.

State and Regional Regulations

The USEPA has delegated much of its regulatory authority to the individual states. The Department of Toxic Substance Control (DTSC) of the California Environmental Protection Agency (Cal EPA), formerly a division of the Department of Health Services, enforces hazardous materials and waste regulations in California, in conjunction with the USEPA. The DTSC is responsible for regulating the management of hazardous substances including the remediation of sites contaminated by hazardous substances. California hazardous materials laws incorporated federal standards, but are often more strict than federal laws. The primary state laws include: the California Hazardous Waste Control Law (HWCL), the state equivalent of RCRA; and the California Hazardous Substance

Account Act, the state equivalent of CERCLA. State hazardous materials and waste laws are contained in the California Code of Regulations, Titles 22 and 26.

The published lists of sites which trace remediation progress within the state include:

- CALSITES, which was previously referred to as the Abandoned Sites Program Information System (ASPIS), and identifies potential hazardous waste sites, which are then screened by the DTSC. Sites on this list which are designated for no further action by the DTSC were not identified by the database review;
- the Annual Work Plan, formerly known as the Bond Expenditure Plan (BEP), which is a site-specific expenditure plan for the appropriation of California Hazardous Substance Cleanup Bond Act of 1984 funds. This list is no longer updated; and
- the CORTESE List, which is a compilation of information from various sources listing potential and confirmed hazardous waste and hazardous substance sites, previously maintained by the State Office of Planning and Research. This list is no longer updated.

The Regional Water Quality Control Board (RWQCB) is authorized by the State Water Resources Control Board to enforce provisions of the Porter - Cologne Water Quality Control Act of 1969. This act gives the RWQCB authority to require groundwater investigations when the quality of groundwater or surface waters of the state are threatened and to require remediation of the site, if necessary. Both of these agencies are part of the Cal EPA.

The RWQCB maintains the following lists identifying hazardous waste sites that were reviewed:

- the Leaking Underground Storage Tanks (LUST) list, which is required by the Health and Safety Code and tracks remediation status of known leaking underground tanks;
- the Waste Management Unit Discharge System (WMUDS) list of sites which tracks waste management units. The list contains sites identified on the Toxic Pits List, which is required by the Toxic Pits Cleanup Act (Katz Bill), and places

relatively strict limitations on the discharge of hazardous wastes into surface impoundments, toxic ponds, pits and lagoons (the RWQCB is required to inspect all surface impoundments annually). The WMUDS list also identifies sites targeted by the Solid Waste Assessment Program where there is a possible risk of solid waste disposal sites (landfills) discharging hazardous wastes, threatening either water or air quality.

The RWQCB also maintains North Bay County Toxic List - Region 2 which was not reviewed as part of this program level EIR. This list should be reviewed to identify potential hazardous waste sites before development of a specific area.

The Bay Area Air Quality Management District (BAAQMD) may impose specific requirements on remediation activities to protect ambient air quality from dust or other airborne contaminants.

The California Waste Management Board maintains a list of active, inactive or closed solid waste disposal sites and transfer facilities, as legislated under the Solid Waste Management and Resource Recovery Act of 1972. The list is referred to as the Solid Waste Information System (SWIS).

The California Environmental Affairs Agency Office of Hazardous Material Data Management produces a database containing information on sites which have been issued waste discharge requirements. These sites are allowed to discharge specified levels of chemicals under their waste discharge requirements. This list is referred to as the Waste Discharge Systems (WDS).

The State Water Resources Control Board (SWRCB) also requires permitting of all underground storage tanks (USTs) containing hazardous substances. The California laws regulating USTs are primarily found in the Health and Safety Code; combined with regulations adopted by the State Water Board, these laws comprise the requirements of the state UST program. The laws contain requirements for UST permitting, construction, installation, leak detection monitoring, repairs and upgrades, corrective actions and closures. In accordance with state laws, counties are required to implement a UST program and in some cases, the county requirements are more stringent than those of the State. Cities are also given the option to implement a UST program. The Regional Water Quality Control Board may also oversee corrective actions.

Local Regulations

The Alameda County Health Care Services Agency, Department of Environmental Health is the county agency responsible for implementing the UST program in the City of Oakland. It is responsible for issuing operating and closure permits for USTs and overseeing such tasks as UST design plans, construction, monitoring, leak reporting and UST closure. They also oversee remediation of contaminated soil and groundwater at leaking underground storage tank sites and hazardous waste sites in coordination with Cal EPA.

The Oakland Fire Department, Office of Emergency Services (OES) is the administering agency for the Certified Uniform Program Agency (CUPA) regulations for Oakland. Under these regulations, the OES is responsible for the following programs:

- Hazardous Materials Release Response Plans
- Risk Management and Prevention Programs
- Underground Storage Tanks
- Aboveground Tanks
- Article 80, Section 103 (b) (c) of the Fire Code, Hazardous Waste

The Oakland Fire Department also responds to hazardous materials incidents. The Oakland Office of Public Works is apprised of hazardous materials sites and remediation activities on properties owned by the City of Oakland, but defers oversight to the state and county agencies.

HAZARDOUS MATERIALS MANAGEMENT

Hazardous Materials Business Plans and Inventories

California requires submission of a Business Plan to the local administering agency (in this case the Alameda County Health Care Services Agency) for businesses that handle hazardous materials over certain threshold quantities. This document is used by the city and county for chemical emergency planning. The Business Plan includes an inventory of hazardous materials used at the site. However, the state definition of a hazardous material includes many chemicals that are common and not very hazardous. The Business Plan is required to include:

- specific details on the business such as name and address
- an inventory of hazardous materials used and stored
- a site and facility layout
- emergency response procedures
- procedures for immediate notification of the administering agency in the event of an emergency
- evacuation plans in the event of an emergency
- a description of the training employees have received in the evacuation and safety procedures
- identification of local emergency medical assistance

Acutely Hazardous Materials Requirements

California requires businesses which handle greater than threshold quantities of acutely hazardous materials to file an acutely hazardous materials registration form and submit a Risk Management and Prevention Plan (RMPP) to the local administering agency (in this case the Alameda County Health Care Services Agency). These items are required in addition to a submission of a business plan. The acutely hazardous materials registration form includes:

- information on the submitting facility
- reference to the facility's business plan
- process designation
- identity of acutely hazardous materials handled and their quantity
- a general description of processes and principal equipment
- acknowledgment

RMPPs must include:

- a description of each accident involving acutely hazardous materials in the last three years prior to the request for the RMPP
- a report specifying the nature, age, and condition of the equipment used to handle acutely hazardous materials
- design, operating, and maintenance controls that minimize the risk of an accident involving acutely hazardous materials
- detection, monitoring, or automatic control systems to minimize potential acutely hazardous materials accidents

- a schedule for implementing additional steps to reduce the risk of an accident.

HAZARDOUS MATERIALS WORKER SAFETY REQUIREMENTS

The Federal Occupational Safety and Health Administration (Fed/OSHA) and the California Safety and Health Administration (Cal/OSHA) are the agencies responsible for assuring worker safety in the handling and use of chemicals in the workplace. The federal regulations pertaining to worker safety are contained in the Code of Federal Regulations, Title 29 (29 CFR) as authorized in the Occupational Safety and Health Act of 1970. They provide standards for safe workplaces and work practices, including standards relating to hazardous materials handling. In California, Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations; Cal/OSHA standards are generally more stringent than federal regulations.

The state regulations concerning the use of hazardous materials in the workplace are included in Title 8 of the California Code of Regulations, which contain requirements for safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. Cal/OSHA also enforces hazard communication program regulations, which contain worker safety training and hazard information requirements, such as procedures for identifying and labeling hazardous substances, communicating hazard information relating to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees at hazardous waste sites.

ASBESTOS ABATEMENT REGULATIONS

Where demolition or renovation work will involve 100 square feet or more of asbestos-containing materials, the State law requires that the contractor be certified and that certain procedures be followed.¹ Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition permits until an applicant has demonstrated compliance notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos.

The BAAQMD is vested by the California legislature with authority to regulate airborne

¹ Assembly Bill 2040, Asbestos 1985, Added Section 24223 and Chapter 25 to Division 20 of the Health and Safety Code.

pollutants, including asbestos, through both inspection and law enforcement. They are to be notified ten days in advance of any proposed demolition. Notification includes the names, addresses and phone numbers of operations and persons responsible, including the contractor; description and location of the structure to be renovated/demolished including size, age and prior use, and the approximate amount of friable asbestos scheduled starting and completion dates of demolition nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used.

According to the BAAQMD Regulation 11, Rule 2, if a structure is to be demolished, friable and potentially friable asbestos must be removed and disposed of properly. Workers and the public could become exposed to asbestos fibers as they become airborne during removal.²

The local office of Cal/OSHA must be notified of asbestos abatement to be carried out. Asbestos contractors must follow the State regulations contained in Title 8 of the California Code of Regulations, Sections 1529 and 341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos-containing materials. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. Pursuant to California law, the Bureau of Building Inspection (BBI) would not issue the required permit until the applicant has complied with the notice requirements above as well as requirements for proper waste disposal (described below).

LEAD-BASED PAINT ABATEMENT REGULATIONS

In accordance with regulatory guidance, lead-based paint waste that has been separated from building materials (such as delaminated or chipping paint) must be evaluated separately from other building materials for waste disposal purposes during building demolition. Accordingly, any chipping or delaminated paint would need to be removed before any renovation or demolition activities. Depending on the level of lead identified in the paint, it may require disposal as a hazardous waste. Building materials which still have the paint adhered to them may generally be disposed of as regular construction debris, regardless of the lead level in the paint.

² Bay Area Air Quality Management District, Rules and Regulations, Regulation 11, Rule 2, *Asbestos Demolition, Renovation and Manufacturing*, adopted May 1981.

The Lead in Construction Standard contained in Title 29 of the Code of Federal Regulations, Section 1926.62 applies to the removal of chipping or delaminated lead-based paint. In accordance with this standard, it will be necessary for workers to wear respiratory protection until the work is completed or until an employee exposure assessment can demonstrate that air lead levels during scraping are below the permissible exposure limit (PEL). Other applicable requirements of the standard include worker awareness training, use of protective clothing, provisions for change areas and hand washing facilities, biological monitoring, and development of a site specific compliance program. California regulations (Title 8 of the California Code of Regulations, Section 1532.1) relating to the abatement of lead-based paint are similar to the Federal regulations.

WASTE DISPOSAL REGULATIONS

All California landfills have been segregated by regulatory authority into the categories of Class I, Class II and Class III facilities. Class I facilities can accept hazardous wastes with chemical levels below the federal land disposal restriction (land ban) treatment standards. Class II and III facilities can accept non-hazardous wastes that meet acceptance criteria determined by the State for organic and inorganic compounds; each landfill has an individual acceptance criteria.

The disposal of soil is regulated by the RWQCB and will be predicated on the concentrations of the chemical constituents that are present. Soil with total petroleum hydrocarbon or organic compound concentrations above the detection limit must be disposed of at an appropriately landfill facility or treated to reduce the levels of chemicals in the soil; the concentration of the compounds present will determine the appropriate type of disposal facility. In general, soil with total petroleum hydrocarbon levels up to 100 milligrams per kilogram can be disposed of at a Class III disposal facility. If the concentration is between 100 and 1,000 milligrams per kilogram and be disposed of at a Class II disposal facility and if the concentration is greater than 1,000 milligrams per kilogram, Class I disposal would be required.

The disposal alternative is also predicated on the total and soluble concentrations of metals. Soil with total metal concentrations that are above the Total Threshold Limit Concentration (TTLC) and soluble metal concentrations that are above the Soluble Threshold Limit Concentration (STLC) must be disposed of at a Class I disposal facility or

treated.³ The Class II and III landfills in the Bay Area have acceptance criteria for lead that are lower than the STLC.

Soil with no concentrations of organic chemicals above detection limit and total and soluble metal concentrations that are below the TTLC and STLC may be used on-site or transported off-site as unrestricted waste.

Lead-based paint would be considered a hazardous waste because the total lead concentration would be greater than the TTLC of 1,000 milligrams per kilogram. It would be necessary to dispose of the paint at a Class I facility.

The California Department of Toxic Substances Control has classified friable, finely divided and powdered wastes containing greater than one percent asbestos as a hazardous waste.⁴ A friable waste is one which can be reduced to powder or dust under hand pressure when dry. Non-friable asbestos-containing wastes are not considered hazardous and are not subject to regulation under Title 22, Division 4.5 of the California Code of Regulations. The management of these wastes would still be subject to any requirements or restrictions which may be imposed by other regulatory agencies. The State standard for classification of asbestos wastes is contained in Section 66261.24 of Title 22 of the California Code of Regulations. Asbestos is not currently regulated as a hazardous waste under the RCRA; because of this it is considered a non-RCRA waste. Asbestos wastes totaling more than 50 pounds must be transported by a registered waste hauler to an approved treatment, storage or disposal facility.

Wastes containing asbestos may be disposed of at any landfill which has waste discharge requirements issued by the RWQCB which allow disposal of asbestos-containing materials, provided that the wastes are handled and disposed of in accordance with the Toxic Substances Control Act, the Clean Air Act's National emission Standards for Hazardous Air Pollutants, and Title 22 of the Code of California Regulations (Division

³ The total threshold limit concentration (TTLC) and the soluble threshold limit concentration (STLC) are criteria used for waste classification purposes. If the waste contains a total concentration of a constituent and a concentration greater than the TTLC, it is considered a hazardous waste. If the total concentration is greater than ten times the STLC, then it would be necessary to perform a waste extraction test to determine the soluble concentration. If the soluble concentration is greater than the STLC, the waste would be considered hazardous. The waste extraction test involves a ten times dilution of the sample; because of this, it would be impossible for the soluble concentration to exceed the STLC unless the total concentration exceeded ten times the STLC.

⁴ California Department of Toxic Substances Control, *Fact Sheet, Asbestos Handling, Transport and Disposal*, October 1993.

4.5). The Department of Toxic Substances Control also has treatment standards for asbestos-containing wastes which require submittal of a notification and certification form to the land disposal facility as well as wetting and containment of the asbestos-containing materials.

The owner of properties where hazardous waste are produced or abatement would occur must have a Hazardous Waste Generator Number assigned by and Registered with, the California Department of Toxic Substances Control in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of the material.

U.C. BERKELEY LIBRARIES



C101693472

